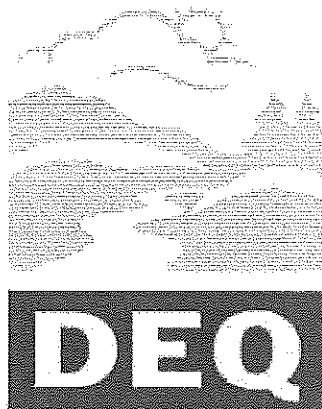


6/27/1975

**OREGON
ENVIRONMENTAL QUALITY
COMMISSION MEETING
MATERIALS**



**State of Oregon
Department of
Environmental
Quality**

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A G E N D A

Oregon Environmental Quality Commission

June 27, 1975

Second Floor Auditorium, Public Service Building
920 Southwest Sixth Avenue, Portland, Oregon

9:00 a.m.

-
- A. Minutes of May 23, 1975 EQC Meeting
 - B. May 1975 Program Activity Report
 - C. Tax Credit Applications
Public Forum

WATER QUALITY

- D. Sewage Works Construction Grant Priority List for Fiscal Year 1976.
Report of Hearing Results and Director's Recommendation
- E. Water Quality Program Strategy for Fiscal Year 1976. Staff Report
and Public Comment

AIR QUALITY

- 10:00 a.m. F. PUBLIC HEARING: Proposed Criteria for Approval, Denial, Modification,
or Revocation of Air Contaminant Discharge Permits for Air Contaminant
Sources Located in a Limited Airshed

LAND QUALITY

- G. Consideration of Adoption of Proposed Temporary Rules Regarding
Subsurface Sewage Disposal and Pertaining Specifically to Increases
in Certain Fees, Granting of Variances, Regional Modifications,
Reduced Setback from Intermittent Streams, and Prior Approvals
- H. Consideration of Adoption of Permanent Moratoriums on New Subsurface
Sewage System Installations in Certain Designated Areas now under
Temporary Moratorium. Reports on Hearings in Local Areas and
Director's Recommendations

VARIANCE REQUEST

- I. Willamette Industries, Sweet Home - Confirmation of Variance Granted
by Mid-Willamette Valley Air Pollution Authority for 3-day one-time
burning demolition materials

FIELD BURNING

- J. Status Report and/or Recommended Action

The Commission will breakfast and lunch at the Hilton Hotel. Breakfast
will be at 7:30 a.m.

MINUTES OF THE SEVENTIETH MEETING

of the

OREGON ENVIRONMENTAL QUALITY COMMISSION

June 27, 1975

Pursuant to the required notice and publication, the seventieth meeting of the Oregon Environmental Quality Commission was called to order at 9:00 a.m. on Friday, June 27, 1975. The meeting was convened in the Second Floor Auditorium of the Public Service Building, 920 S.W. Sixth Avenue, Portland, Oregon.

Commissioners present included: Mr. B. A. McPhillips, Chairman; Dr. Morris Crothers; Dr. Grace S. Phinney, (Mrs.) Jacklyn L. Hallock, and Mr. Ronald M. Somers.

Department staff members present included Mr. Kessler R. Cannon, Director; Mr. Ronald M. Myles, Deputy Director; and Assistant Directors Mr. E. J. Weathersbee (Technical Programs); Mr. Harold L. Sawyer (Water Quality), Mr. Kenneth H. Spies (Land Quality); and Mr. Harold M. Patterson (Air Quality). Counsel, Mr. Robert Haskins, and several other staff members were also present.

SPECIAL BUSINESS

Chairman McPhillips, addressing himself to a letter of resignation tendered by the Department Director, Kessler R. Cannon, asked the Commission members to vote on its acceptance. MOVING that the resignation be accepted, Commissioner Crothers noted that the State owed Mr. Cannon a great debt of gratitude. He commented that Mr. Cannon assumed the Directorship at a time of difficult circumstances and that he had performed an excellent job. He opined that it was his belief that the Department had enjoyed an extraordinarily successful legislative session in a period when many were predicting the Legislature would "gut" the Department. He noted that nothing of the kind occurred, that in fact the DEQ came out with added responsibilities and duties. Commissioner Crothers attributed a great deal of this to the abilities of Mr. Cannon. He stated that he personally wished to express his gratitude for the job done by Mr. Cannon.

It was seconded by Commissioner Hallock and carried that the Commission accept the resignation of Mr. Cannon as the Director of the Department.

Chairman McPhillips expressed his personal appreciation for the job Mr. Cannon had done and the pleasure he had felt in working with him for the limited time Mr. Cannon was with the Department.

Mr. Cannon thanked the Commission for his rewarding tenure, noting that he had greatly enjoyed his association with the Commission, the Department, the Legislature, and the people of Oregon. Mr. Cannon opined that he left an

excellent staff with the Commission and that the Department was a better Department in structure and posture than it was when he assumed the Directorship. He indicated that he was very pleased with the record of the Department in the last 15 months.

Chairman McPhillips, noting that it would be appropriate to elect a new Director of the Department in line with the Governor's recommendation asked for the nomination of Mr. Loren (Bud) Kramer. It was MOVED by Dr. Crothers, seconded by Commissioner Hallock and carried that the Commission approve Mr. Loren Kramer as Director of the Department of Environmental Quality, effective July 1, 1975.

MINUTES OF THE MAY 23, 1975 COMMISSION MEETING

There being no comments or corrections to the minutes of the May 23, 1975 Commission meeting, Chairman McPhillips indicated they stood approved as received.

PROGRAM ACTIVITY REPORT

Mr. Ronald Myles, Deputy Director of the Department, presented the Program Activity Report. It was MOVED by Commissioner Somers, Seconded by Commissioner Hallock and carried that the Department's May, 1975 Program Activity Report receive confirming adoption by the Commission.

TAX CREDIT APPLICATIONS

It was MOVED by Commissioner Somers, Seconded by Commissioner Hallock, and carried that the Commission approve ten tax credit applications as recommended by the Director and set forth in distributions to the Commission. The applications were numbered as follows: T-644, T-645, T-646R, T-649, T-650, T-651R, T-660, T-661, T-662, and T-663.

With regard to T-646R, Commissioner Phinney asked if the BRM Company, Industrial Wastes, handles other industrial wastes in addition to straw. Mr. Ernie Schmidt of the Department's Solid Waste Program replied that the company does handle other industrial wastes but he added that the equipment claimed in the tax credit application handles only straw activities.

PUBLIC FORUM

Mr. Bill Van Dyke of the Oregon Student Public Interest Research Group (OSPIRG) addressed the Commission. He said preliminary research results indicate problems with the Department's procedures for dealing with the land use impacts of federal sewerage construction grants, noting that these grants have the potential for an enormous impact on land use patterns in this state.

Mr. Van Dyke explained that the current procedure, as now followed by the Department, to insure that projects comply with land use provisions, is to require county commissioners to submit a general statement that their sewerage

project meets provisions of the county Comprehensive Plan and State-wide Land Use Goals and Guidelines. He objected that such procedure does not require specific findings on individual goals and guidelines or on the comprehensive plan showing that the project does, in fact, comply with these requirements.

Mr. Van Dyke contended that specific findings are important for two reasons: (1) Oregon law requires the Department of Environmental Quality to carry out its programs which affect land use in accordance with Oregon's land use laws, goals and guidelines and (2) counties will be reviewing their comprehensive plans to bring them into compliance with state-wide goals and guidelines over at least the next year. Until the end of this review, Mr. Van Dyke noted, there would be insufficient assurance that counties have taken state-wide land use goals into account in their comprehensive plans. He went on to say that the blanket statement of compliance now required does not assure that the county commissioners have taken a new and detailed look at their comprehensive plan and statewide goals and guidelines in evaluating their sewerage projects. Thus, Mr. Van Dyke contended, the Department of Environmental Quality does not receive enough information to say with assurance that a given project complies with state laws, goals and guidelines. This responsibility he contended, it clearly has under ORS 197.180.

On behalf of OSPIRG, Mr. Van Dyke urged the Commission to adopt a rule, under Ors 468.020(1) which authorizes the commission to adopt rules and standards it considers necessary to perform functions vested in the commission by law, requiring counties to submit such specific findings. Requiring specific findings would assure that all counties follow this procedure, he contended. The requirement could provide added protection against problems later in the project process similar to those in the South Medford project, he suggested. Then, he reported, a petition to the LCDC for review of the land use implications of the project after EPA had awarded a construction grant to the Sanitary Authority was dismissed only after the City of Medford, Jackson County, and the Sanitary Authority made arrangements for meetings to work out their problems. Finally, Mr. Van Dyke opined, it would provide the Department of Environmental Quality with some information to use in evaluating its sewerage program for compliance with statewide goals and guidelines as the law requires.

Mr. Van Dyke stated that OSPIRG would support a request from the Director of the Land Conservation and Development Commission to the Department, asking for one month's deferral on the Projects List to allow for a meeting to evaluate the land use impacts of the projects.

Mr. Fred Delaney addressed the Commission on behalf of the Honeywood Park Homeowners Association. He described Honeywood Park as a "mini subdivision" in the South Portland area. He stated that the subdivision is bordered on the south and east sides by Beaverton Creek, with the Aloha sewage treatment plant just across Beaverton Creek at the east end of Honeywood Park.

Mr. Delaney detailed two areas of concern to the homeowners: (1) Beaverton Creek is polluted, runs gray-blue to bluish black, gives off offensive odor, and

floats solid forms of pollution; (2) the odor from the Aloha sewage treatment plant is continual and offensive.

According to Mr. Delaney, as far back as one year, inquiries were made as to these conditions to various agencies including the Department. He reported that assurances were given of plans (some being implemented) that would alleviate these problems. With the plans completed, Mr. Delaney contended, the problems exist to the same degree, if not greater.

Chairman McPhillips asked Director Cannon for a staff report to the Commission to see what steps could be taken to alleviate the situation described by Mr. Delaney. Mr. Cannon replied that it would be done.

SEWAGE WORKS CONSTRUCTION GRANT PRIORITY LIST FOR FISCAL YEAR 1976.
REPORT OF HEARING RESULTS AND DIRECTOR'S RECOMMENDATION

Commissioner Somers informed the Commission of a request from the Land Conservation and Development Commission that this matter be delayed in order to allow them time to comment. He MOVED that the matter be tabled until July 10, 1975. Commissioner Hallock seconded the motion.

Commissioners Somer and Hallock asked Mr. Sawyer what the effect of the delay would be. Mr. Sawyer replied that the primary concern in delay would be that many projects would be delayed even further from the initial steps necessary to develop information to determine where there is a conflict with the plan. He opined that some projects would be delayed and that others already under way would be stopped.

Referring to Beaverton Creek, Mr. Sawyer stated that one of the projects on the list was the Rock Creek Sewage Treatment Plant and the interceptor lines to serve that area. That project was at a very critical stage, Mr. Sawyer stated. Failure to adopt the list, he added, could potentially delay the project for a year or more in completion.

Commissioner Somers questioned how ten days could have such an effect. Mr. Sawyer contended that the project was running on a critical path construction schedule and that timing of construction in relation to the weather could cause such an effect.

Commissioner Crothers questioned the advisability of adopting a list which must be forwarded to EPA, but which is still subject to some revision after meeting with LCDC. Mr. Sawyer replied that the list could be revised by the Commission after a hearings process. Commissioner Crothers expressed concern about delaying any proper construction and asked Mr. Sawyer whether it would be possible to presently adopt the list and arrange a subsequent hearing on possible revisions. Mr. Sawyer replied that this was possible. He explained that procedurally any project can be stopped where there is a definite concern. The question, as Mr. Sawyer stated it, was whether to delay all projects due to concern over some.

Commissioners Hallock and Phinney questioned whether it was more disruptive to tentatively adopt and look forward to a lengthy and complicated hearing process or to postpone adoption for 14 days.

Commissioner Hallock questioned whether the Department had a list of those projects with a land use problem or could put one together in 14 days. In response, Mr. Sawyer explained that the Department had prioritized identified problems and needs. He stated that the way the projects relate to land use planning is a question each applicant must answer before receiving a grant.

Under new EPA rules which go into effect July 1, he added, no work can be done which is eligible for reimbursement. Each must have a grant on the project's preliminary planning phases. He recalled that, in the past, grants were only awarded with the commencement of the construction phase. Without this list's adoption, he noted, the initial steps could not be taken. Many of the Department's projects are in this first step planning project, he reported.

Commissioner Somers argued the value of the Commission's being certain of its direction before any action is taken.

Commissioner Somers MOVED to postpone consideration until the 10th of July. This motion was seconded by Commissioner Hallock and carried by the Commission. Commissioner Crothers voted against it.

Mr. J. Christopher Minors, attorney for the Southwest Lincoln County Sanitary District, reported that the District was ready to break ground on the project and endorsed the reduction in the contingency fund which would allow the project's inclusion on the list. He cautioned that each day of delay costs an estimated \$600 increment in construction expense and urged the Commission not to delay beyond July 10.

Ms. Carolyn Wright of the Oregon Clean Water Project supported the decision to postpone adoption of the Prioritization List.

Commissioner Hallock was concerned that the suggestion of OSPIRG might prove too cumbersome for the counties and asked that a less complex approach be considered.

The Commission members assured Mr. Cannon that their wish was to have the Department Staff meet with representatives of the Land Conservation and Development Department during the postponement.

WATER QUALITY PROGRAM STRATEGY FY 1976

Mr. Harold Sawyer presented the staff report, pointing out that an annual State Water Strategy for review by the Environmental Protection Agency was requisite to continued federal funding of the Water Quality Program. He listed

the three most visible priorities as lying in the areas of Construction of Sewage Treatment facilities, efficient permit processing and source monitoring, and progress in Area Wide (208) and River Basin planning.

Priorities in the use of staff time were said to be an important aspect of the strategy. The Prioritization List, whose consideration had been postponed, he explained, would, when adopted, be part of the Strategy.

In response to inquiry by Commissioner Somers, Mr. Sawyer expressed the view that the Commission might well give conceptual approval to the proposed Strategy, such approval to include the Prioritization List as it is finally adopted on July 10.

In response to inquiry from Commissioner Phinney, Mr. Sawyer explained that the Area Wide Waste Treatment Management Planning under Section 208 of the Act included planning directed at point source problems as well as non-point sources. He lamented the abatement emphasis in the federal program which precluded needed preventive measures in many instances.

It was MOVED by Commissioner Somers, seconded by Commissioner Phinney, and carried that the Director's recommendation be adopted as set forth in the staff report.

EXECUTIVE SESSION

The Commission went into Executive Session to discuss matters of pending litigation.

PUBLIC HEARING:

PRIORITY CRITERIA FOR AIR CONTAMINANT PERMITS IN LIMITED AIRSHEDS

Presenting the Staff Report, Mr. John Kowalczyk of the Department's Air Quality Program drew attention to minor changes the proposed rule had undergone since its initial publication. He reported that discussion with the Governor's Office, Multnomah County, and the City of Portland had led to the question of "Community Benefits" as a desirable criterion. It was suggested that any Air Contaminant Discharge Permit in a limited airshed might await the previous granting of a Conditional Use Permit by the appropriate agency to insure that the project's community benefits had been reviewed in the latter forum. Also, he said, early notice to other agencies that an application is subject to the proposed rule would allow them to address the Commission prior to permit issuance.

Due to the issues discussed above, Mr. Kowalczyk reported, the Director's recommendation was to postpone adoption of the proposal until appropriate amendments could be drafted and placed before the Commission.

Mr. Martin Crampton of the Multnomah County Planning and Development

Commission spoke in behalf of County Commissioner Don Clark. He stressed the importance of land use and economic vitality as considerations which should precede issuance of a permit under the proposals. This Community Benefits aspect, he suggested, could be implemented by the requirement of adherence to land use standards as recommended by the appropriate local planning and development authority. He suggested that the Columbia Region Association of Governments (CRAG) could act as such a local authority in the Multnomah County area, giving recommendations for the Department to consider prior to the issuance of a permit. CRAG was considered appropriate, he said, because pollution follows the confines of the airshed and is not confined to any of the lesser local boundaries within CRAG jurisdiction. He urged the Commission to call upon CRAG for steps to implement his suggestion.

In response to inquiry by Commissioner Crothers, Mr. Kowalczyk, noting that no pending permits would be affected by the rule at the present time, suggested that delay in the adoption of the rule would pose no serious problems to the Department.

Mr. Rich Owings of the Port of Portland objected to the proposed rule as insufficiently protective of the economic stability of industry in the Port area. He contended that the rule, as proposed, would require the Department to process permits in the order of their completed applications, giving incentive for a rush of applications. He urged that Community Benefits be given more solicitude and preferential treatment be given existing sources. He questioned the Staff Report as indicating the Commission might not have jurisdiction to consider these aspects of the sources applying for permits.

Mr. Owings said the Port recognizes the need to integrate regional considerations of both air quality and land use. He agreed that CRAG would be a beneficial forum for all concerned agencies to effectuate this integration. He contended that, once criteria for development were agreed upon, these could include the Department's prioritization of permit applications in limited airsheds.

He urged adoption of a priority rule which incorporates concern for the aforesaid Community Benefits of the applying source.

Commissioner McPhillips asked what duration of postponement would be necessary to draft a proposal based on the Community Benefits concerns expressed. While Mr. Cannon thought that CRAG might well be given thirty days in which to respond and give indication of the necessary time, Mr. Owings suggested that a rule could be adopted with reference to the desired criteria first. This, he said, would put the onus on the affected agencies to promptly develop criteria. Commissioner McPhillips was of the view that thirty days postponement, of itself, should provide sufficient stimulus for the concerned agencies to provide suggestions for the rule.

Mr. Cannon noted that there were several alternatives for the implementation of the Community Benefits assurances desired but added that opinion of Counsel was in order to determine the extent of the Commission's authority along such a dimension of regulation.

Commissioner Crothers, noting the Commission's desire to see local planning agencies play a role in allocating the limited future development of the affected airsheds, MOVED that the matter be deferred for consideration at the Commission's regular July meeting and that, in the interim, a response from CRAG be requested with regard to the testimony given. Commissioners Somers and Phinney seconded the motion which was subsequently carried.

RULE ADOPTION: RULES PERTAINING TO REGULATION OF SUBSURFACE SEWAGE SYSTEMS

Mr. Jack Osborne of the Department's Subsurface Sewage program presented the staff report, recalling that the proposed rules recommended by the Citizen's Task Force on Subsurface Sewage had been previously before the Commission and, with the exception of the "prior approvals" rule, deferred until the present meeting.

It was presently the Department's intention, he reported, to further defer action on most proposals until, after statewide hearings, the rules, along with amendments mandated by the legislature (SB 34 and SB 297) could be proposed for permanent adoption.

In the interim, Mr. Osborne explained, there was a need for certain temporary rules to take effect immediately. These, he reported, dealt with regional differences, fee schedules, and variances.

Commissioner McPhillips questioned the advisability of adopting rules on a piecemeal action and continual amending has an unsettling effect on industry and the public.

Commissioner Phinney stressed the need to adopt the amended fee schedules in order to avoid the recurrence of financial difficulty due to insufficient fee-generated revenue.

Commissioner Crothers expressed concern that variance rules would be needed immediately. Mr. Osborne concurred, reporting that the variance law was currently in effect. He reported that the Department, upon passage of the rules, would immediately appoint acting variance officers to act on applications expected to be forthcoming very soon.

Mr. Cannon pointed out that requests for temporary rules were necessarily piecemeal where needed to implement new emergency legislative measures to serve the public as quickly as possible.

Mr. William H. Doak, Soils Scientist and Land Use Consultant, suggested that the Commission amend the proposed rules to afford reduced fees to parties who retain a registered sanitarian or engineer to present detailed plans for governmental review. This, he contended would alleviate the inequity wherein those seeking prompt action were required to hire private services and pay, as well,

for review by governmental sanitarians. He suggested that this would cut down on administrative time spent by the agencies. Twenty-five dollars for review and \$25 for inspection were suggested as reasonable fees for those submitting detailed plans hired in the private sector. Mr. Doak added that the agencies, by this method, would not relinquish any of their control or ability to protect the public interest.

Commissioner Somers questioned whether there was adequate regulatory assurance of the competency of the licensed sanitarians and engineers to make such a suggestion advisable.

Mr. James Allison, of the CTF urged the Commission to adopt the temporary rules on variances so as to take maximum advantage of the building season. He reasoned that any imperfection in the temporary rules could be remedied at the time they are superseded by permanent rules, which, in turn, could be the subject of continuing refinement.

Mr. Steven F. Boedigheimer, of the Jefferson County Health Department endorsed the proposal with regard to regional differences as an adequate rule which had been needed by those in certain eastern Oregon areas.

Mr. Tam Moore, Chairman of the Jackson County Board of Commissioners, addressed the Commission with support for the proposals, pointing out that any infirmities could be remedied when permanent rules are considered. He mentioned, as one minor area of concern, the possibility that the rules, going beyond statutory authority, could be interpreted to extend variances to pit privies.

Referring to the Staff Report, Commission Somers MOVED that Clatsop County be added to the list of counties in Proposed OAR 72-015(4) to charge fees other than as set forth in 72-915(1) and that, with this addition, the Proposed 72-010 and 72-020 of OAR, Chapter 340 be adopted as temporary rules in accord with the Director's recommendation and that the remaining proposals be tabled until July 10, 1975. The motion was seconded by Commissioner Hallock and carried, with Commissioner Crothers voting against the same. He expressed disagreement with further delaying action on the variance rules.

CONSIDERATION OF ADOPTION OF MORATORIUMS ON NEW INSTALLATION OF SUBSURFACE SEWAGE DISPOSAL SYSTEMS IN CERTAIN AREAS

Mr. Peter W. McSwain, Hearing Officer, presented the staff report resulting from several public hearings in the areas of moratoriums being considered in Josephine, Douglas, Benton, Linn, and Columbia Counties. It was the Director's recommendation, he reported, that all areas subject to a temporary moratorium by Commission action on May 23, 1975 be subject to a permanent moratorium with the exceptions of the Fruitdale-Harbeck area of Josephine County, the Deerhaven Heights subdivision of Benton County, and the Foster Midway area of Linn County. With regard to the former two exceptions, it was recommended that the Commission immediately lift the moratoria. With regard to the latter area, no action was recommended as another hearing in the area was felt desirable prior to action.

Commissioner Somers expressed concern that, in light of Supreme Court holdings regarding zoning variance notice requirements, it might be improper to impose a permanent moratorium in any area before first giving notice and opportunity to be heard by personal service upon each and every affected property owner.

Mr. McSwain acquiesced in this concern, adding that, should the Commission decline to invoke permanent moratoria where recommended, it might be desirable to give immediate relief to those areas where hearings had indicated the local government and residents felt no moratoria were needed. He specified Deerhaven Heights and the Fruitdale-Harbeck areas.

Mr. James Pomajevich, an attorney representing several property owners in Deerhaven Heights, assured the Commission that he had indication that virtually all of the residents of the Deerhaven Heights area were adequately informed of the hearing by word of mouth and through the media. He urged the Commission to immediately lift the subject moratorium.

Commissioner Somers having withdrawn a motion to defer action on the moratoria until hearings preceded by personal notice were held; Commissioner Crothers MOVED that the Director's recommendation be adopted after amendment to read as follows:

- 1) Remove Deerhaven Heights from those areas subject to temporary moratoria by Commission action of May 23.
- 2) Authorize and instruct the Department to conduct another public hearing in the Foster-Midway area of Linn County to determine the advisability of a permanent moratorium.
- 3) Repeal, by permanent rule and by order of ORS 468.685, the moratorium in Deerhaven Heights and in the Fruitdale-Harbeck areas.
- 4) Continue intact the remaining moratoria.

The motion was seconded by Commissioner Phinney and carried.

WILLAMETTE INDUSTRIES, SWEET HOME: AUTHORITY TO CONDUCT ONE-TIME, THREE DAY BURNING OF DEMOLITION MATERIALS

Mr. Frederick Skirvin of the Department's Air Quality Program presented the staff report and accompanying Director's recommendation that the proposed burning be authorized by the Commission.

It was MOVED by Commissioner Somers, seconded by Commissioner Hallock, and carried that the Director's recommendation be approved.

STATUS REPORT: FIELD BURNING

Mr. Cannon noted that the Governor had stated to the press his intention to sign SB 311 (field burning legislation).

Mr. Richard Vogt of the Department's Air Quality program reported that, in anticipation of the legislation, the staff had prepared registration forms which the Seed Council was now distributing to the fire marshalls so that acreage could immediately be registered. It was noted that July 10, the soonest date when a temporary rule could be adopted, was also the latest day on which the Commission could act to consider acreage allocations. Commissioner Somers felt it appropriate for the Commission to ratify staff's action in setting a public hearing for July 10 in the matter of findings regarding acreage allocation.

The Commissioners were given a staff report outlining the list of persons contacted by staff with regard to the new legislation, the proposed rule revisions, and the direction in which the staff was moving to implement the legislation.

Commissioner Somers inquired as to the degree to which the Department, in management of field burning, was availing itself of the most sophisticated services of the U. S. Weather Bureau.

Mr. Harold Patterson of the Air Quality Program noted that some of the weather stations were expanding and additional services, such as reports from Coast Guard flights, were being worked into the Smoke Management Plan.

Emphasizing the value of employing fully all of the services available, Commissioner Somers asked Mr. Doug Brannock, the Department's meteorologist, whether hourly reporting on barometric gradients at surface level, winds aloft, and other charting such as that available to pilots were being used by the Department. Mr. Brannock replied in the affirmative, adding that the hourly teletyped reports were received in the Department's offices and that the Department avails itself of every piece of information the Weather Bureau has to offer, including mapping activities conducted by computer from Suitland, Maryland. On burning days, he reported, he personally visits a weather station in either Eugene or Salem before burning is permitted.

Commissioner Somers noted that record keeping was desirable to explain the Department's actions where inaccurate forecasts cause smoke to be carried into populated areas, such as happened in Eugene last season. He asked if it would be advisable to have figures on the past accuracy of the wind forecasts as part of the information to be used in determining the acreage allocation appropriate for the year. It was important, he stated, to insure the people affected by the smoke management program that every available scientific technique was being employed and to let them know that, despite this, a percentage of failure would occur.

Mr. Cannon held out the possibility that the Department's track record might exceed that of the Weather Bureau where smoke management was concerned. Mr. Brannock added that, on the worst day of field burning pollution in Eugene, last year, he had not been satisfied with the weather bureau's forecast but had acquiesced in it anyway. Commission Somers expressed some puzzlement as to how the Department could improve upon the Weather Bureau in predicting winds.

It was Chairman McPhillips' notion that the Commission and staff had exhausted the weather as a topic of conversation.

Commissioner Hallock was assured by Mr. Vogt that the O.S.U. "Report on Alternate Year Burning" would be available at the July 10 meeting.

It was MOVED by Commissioner Somers, seconded by Commissioner Hallock, and carried that the Director's recommendation be adopted and that the Commission convene a special July 10 meeting to implement its duties under SB 311.

It was MOVED by Commissioner Somers, seconded by Commissioner Phinney, and carried that the Commission retain Mr. Cannon for two months as a consultant at full salary.

There being nothing further, the meeting was adjourned.

MINUTES OF THE SIXTY-NINTH MEETING

of the

ENVIRONMENTAL QUALITY COMMISSION

May 23, 1975

Following the required notice and publication, the sixty-ninth meeting of the Oregon Environmental Quality Commission was called to order at 9:00 a.m. on Friday, May 23, 1975. The meeting was convened in the Salem City Council Chambers, 555 Liberty Street S.E., Salem, Oregon.

Commissioners present included Mr. B.A. McPhillips, Chairman; Dr. Morris Crothers; Dr. Grace Phinney; (Mrs.) Jacklyn L. Hallock; and Mr. Ronald M. Somers.

Department staff members present included Mr. Kessler R. Cannon, Director; Mr. Ronald L. Myles, Deputy Director; Mr. E.J. Weathersbee, Assistant Director (technical programs); Mr. Fred Bolton, Assistant Director (regional programs); Mr. Harold M. Patterson, Assistant Director (air quality program); Mr. Harold L. Sawyer, Assistant Director (water quality program); and Mr. Kenneth H. Spies, Assistant Director (land quality program). Mr. Raymond P. Underwood, Counsel to the Commission, and several other staff members were also present.

MINUTES OF THE APRIL 25, 1975 COMMISSION MEETING

It was MOVED by Commissioner Crothers, seconded by Commissioner Somers and carried that the minutes of the April 25, 1975 Commission meeting be adopted as distributed.

PROGRAM ACTIVITY REPORT

Mr. Ronald Myles, Deputy Director of the Department, presented the Program Activity Report.

Chairman McPhillips, addressing himself to the water quality items in the report, inquired whether listed gold mining operations were recreational or commercial in nature. Mr. Richard Reiter, Southwest Region Administrator, explained that the operations were commercial placer operations employing settling ponds and recirculation techniques. He added that the small recreational activities did not require a permit. It was reported that there were four commercial operations along the Rogue River whose proprietors have been reluctant to communicate with the Department about required permits.

Commissioner Phinney inquired how many of the municipal sources listed on page eight were treatment plants and how many were lagoons. Mr. Harold Sawyer, Assistant Director in charge of water quality, stated that he understood there was only one lagoon listed, the Winbrook facility in Eugene.

Commissioner Crothers asked that Mr. Myles summarize the Program Activity Report so that those present who hadn't read the report could learn of the Department's extensive efforts. This was done.

Commissioner Somers inquired if permits had been issued to Pennwalt, Oregon Steel Mills, and Portland Resource Recovery and received an affirmative reply.

It was MOVED by Commissioner Somers, seconded by Commissioner Hallock, and carried that the Commission approve Department action on plans and permits for the month of April as reflected in the report.

TAX CREDIT APPLICATIONS

It was MOVED by Commissioner Somers, seconded by Commissioner Hallock, and carried that the Commission approve eleven tax credit applications as recommended by the Director and set forth in distributions to the Commission. The applications were numbered as follows: T-636, T-638, T-639, T-642, T-643, T-647, T-648, T-652, T-653, T-654, and T-657.

PUBLIC FORUM

(Mrs.) Marlene Frady of the East Salem Environmental Committee addressed the Commission on the subject of HB 2029, legislation dealing with noise pollution control. Representing the people who live near the Bethel PGE power plant, Mrs. Frady made it clear she did not wish to cast blame and would not address the Commission if Dr. Crothers were absent. She asked if the comments made by Dr. Crothers before the House Environment and Energy Committee on March 25, 1975 regarding HB 2029 were representative of the members of the entire Commission. Mrs. Frady excerpted Dr. Crothers' statements as taken from the tape of the House Environment and Energy Committee hearing regarding noise and infrasound. Dr. Crothers reportedly stated that, in his opinion, noise is what a person becomes accustomed to and depends enormously on individual sensitivity; that noise pollution is not the hazard to public health that water or air pollution are; and that PGE should acquire larger easement around the plant site. Also, it was reported that he expressed concern about the enormous responsibility of the Commission in making economic decisions that could involve millions of dollars and said he believed any required cutback (due to budgetary problems), should start with noise.

Mrs. Frady asked the Commission to state its position on HB 2029; either for or against. She asked whether or not the Commission supported Section 2 of the bill. Chairman McPhillips responded that it is not the policy of the Commission to take a stand on any bill. He indicated that at various times all the Commissioners have been asked to answer questions regarding bills that affect the Department and have been known to do so. He added that no public stance on any bill had been assumed. He noted that the Commission does not make laws. Chairman McPhillips indicated to Mrs. Frady that her question had been answered by her comment that Dr. Crothers signed the register as representing the EQC but did not mark "for" or "against".

Commissioner Hallock noted that it was her recollection that when the EQC adopted current noise regulations, it was conjectured that these would protect those in the Bethel project's vicinity. Later, when this conjecture

proved erroneous, it was Commissioner Hallock's recollection, the Commission advised the neighbors of the project to seek legislation empowering the Commission to control infrasound. On this basis, Commissioner Hallock opined, Mrs. Frady's position was quite understandable.

PUBLIC HEARING: TO CONSIDER ADOPTION OF ORDER PROHIBITING CONSTRUCTION OF SUBSURFACE SEWAGE DISPOSAL SYSTEMS IN CERTAIN (MORATORIUM) AREAS

Mr. Jack Osborne of the Department's Land Quality Program presented the staff report. This report mentioned several local areas of previous moratoriums on new construction of subsurface sewage systems. It was legal counsel's opinion that 1973 legislation vesting in the Commission power to regulate subsurface sewage disposal (ORS 454.605 to 454.745) pre-empted the local moratoriums. The Director recommended that the Commission adopt, both as a temporary rule and as an order pursuant to ORS 454.685, several areas of moratorium previously enforced locally. During the 120-day life of the rule, it was contended, the Department could hold hearings in each local area affected and evaluate the advisability of each moratorium.

The moratoriums in issue were as follows:

Jackson County - three areas.

Josephine County - the Fruitdale-Harbeck-Redwood sewage disposal emergency area.

Douglas County - the Glide-Idleld Park area.

Marion County - City of Donald.

Benton County - Southwest Corvallis area and the following subdivisions:
Princeton Heights, North Albany.
Kingston Heights, North Albany.
Kingston Heights, 1st Addition, North Albany.
Strawberry Acres, North Albany.
Strawberry Acres, 1st Addition, North Albany.
Country Estates, Lewisburg Area.
Country Estates, 1st Addition, Lewisburg Area.
Deerhaven Heights, S.E. of Philomath.

Linn County - Midway-Foster area.

Columbia County - Scappoose dike land septic tank ban area.

Mr. Osborne noted that, on May 16th Jackson County officials, after a detailed preliminary study, had conducted a hearing on the advisability of the Jackson County moratorium. The conclusions flowing from that hearing were that the proposed moratorium area in Jackson County was no longer needed. Mr. Osborne contended, by way of a revised Director's recommendation, it was unlikely a Departmental hearing would yield results differing from those advanced by Jackson County. For these reasons Mr. Osborne reported the Director's recommendation to delete Jackson County from the list of moratoriums sought to be invoked by temporary rule.

Commissioner Hallock asked whether or not Jackson County had used topographical health overlay maps in coming to its decision about the moratorium. Mr. Osborne replied that Jackson County officials were present to give a full account of the procedure they undertook. He added that the Department did not have topographical health overlays for the areas in question.

Mr. Tam Moore, Chairman of the Board of Commissioners for Jackson County, summarized a study conducted with regard to the proposed Jackson County moratorium area and presented the conclusions and recommendations resulting from that study. They were as follows:

- 1) Even though the previous epidemic levels of infectious hepatitis have subsided, no meaningful conclusions can be drawn concerning the effect of the moratorium in bringing about this fact.
- 2) The unworkable backlog of sewage disposal permits existent in 1973 has since been overcome. It is not expected that the removal of the moratorium would cause more than a temporary short-term increase in the workload of the sanitation section of the Department of Planning and Development.
- 3) Nearly one-third of the moratorium area has soil characteristics offering at least a 35 percent chance of finding a suitable site on five acres.
- 4) Sewer lines installed since 1973 presently or will soon serve about 900 homes and businesses, a high percentage of which were previously served by subsurface systems within the moratorium area.
- 5) Approximately 350 acres (2.5 percent) of the moratorium have been annexed by the cities of Medford and Central Point, and are subject to municipal services.
- 6) Countywide zoning adopted in September 1973, in concert with the Comprehensive Plan adopted in June 1972, precludes new residential development at densities not supportable by soil conditions, unless public water and sewer services are available and public need can be demonstrated.
- 7) Of the 3,411 existing lots of less than five acres in size within the moratorium area, only 599 or 18 percent are undeveloped at the present time. Of this number, nearly 100 are within soil areas offering at least a 35 percent chance of finding a suitable site on five acres.
- 8) Potential "prior approval" subsurface disposal permit applications within the moratorium area number only about 50, and are not concentrated in any particular location.
- 9) The question of possible health hazard stemming from the cumulative effect of otherwise individually acceptable subsurface systems cannot be answered without extensive monitoring, testing, and other research techniques beyond present capability.
- 10) The moratorium has served well the purposes for which it was established; however, it does not seem to sufficiently meet the requirements of present law to justify its continuation.

Based on these findings, the Moratorium Study Committee did, on May 14, 1975, unanimously recommend that the Septic System Moratorium of March 21, 1973 be lifted.

Chairman McPhillips inquired if a reported dispute over the South Medford sewer project of the Bear Creek Sanitary Authority would have any effect on the provision of sewer service to certain areas in the proposed moratorium. Mr. Moore replied that, though a suit was pending in federal district court, the project was almost completed and, in his opinion, would soon be a matter of fact. It was added that a series of negotiations involving the West Side sewer project were underway. It was noted, however, that the sewer would not affect the moratorium area.

Commissioner Hallock, upon asking Mr. Moore if any orchards would be damaged by sewer trunk lines, received the answer that Mr. Moore was unaware of any such problem. Mr. Moore noted that the City of Medford annexed one orchard and was removing the trees. Mr. Paul DeBonny, Administrator of the Jackson County Department of Planning and Development, explained that Bear Creek Valley Sanitary Authority, the City of Medford, and Jackson County had entered into an agreement to spend a 120 day period studying resolutions toward land use planning designed to protect existing agricultural interests as much as possible. Commissioner Hallock noted that Senator Hannon had stated that orchard owners were complaining of possible interruption of their use by sewer projects. She asked if any action proposed for the Commission today would exacerbate this problem. Mr. DeBonny answered that this was not the case.

Commissioner Somers asked if anyone representing the Bear Creek Sanitary Authority was present and received a negative answer. He then asked if Mr. Moore could enlighten the Commission on other general problems in the Jackson County area. Mr. Moore offered to discuss these matters with Commissioner Somers at lunch or some other time, noting that a public hearing was in progress and that he did not wish to consume more than the appropriate amount of the Commission's time.

In response to inquiry from Chairman McPhillips, Mr. Moore stated that, absent the moratorium, the County would proceed to receive applications from owners in the moratorium area which would be reviewed on their merits. Applications not conforming to existing Commission rules would be denied, he assured Chairman McPhillips. Chairman McPhillips asked if the Jackson County would be served by the Commission's invoking a moratorium and granting a variance procedure from the moratorium to the County. Mr. Moore replied that he found little substance to support the adoption of the moratorium and suggested that the Commission's current rules, combined with any legislation with regard to variances which might be forthcoming, would serve better.

Commissioner Crothers asked if, given the deletion of the moratorium, Jackson County planned to proceed on standard rules governing subsurface sewage system installations and contemplated no variance procedures in the

moratorium areas. Mr. Moore replied that, absent delegation of authority to Jackson County as a contract agent of the DEQ, the County would have no authority to proceed with variance permits.

Commissioner Somers asked if it was the conclusion of those conducting the investigations in Jackson County that the previous moratorium had, in fact, reduced the incidence of hepatitis. Mr. Moore replied that this was not the conclusion; that it was concluded that the moratorium's effect could not be evaluated positively or negatively with regard to hepatitis cases. He added that the incidence of hepatitis had abated within and without the moratorium area.

Mr. Richard Reiter, Administrator of the Department's Southwest Region, agreed the moratorium should be deleted due to the imminence of sewer service in much of the moratorium area, and the responsible management exercised by the Jackson County Department of Planning and Development. He added, however, that it was the intent of the regional office to coordinate with Jackson County during the coming winter and discover whether certain small geographic "pocket" areas would appropriately be subject to a later, much smaller, moratorium.

Commissioner Somers asked if Mr. Reiter would explain the circumstances in Jackson County leading up to the moratorium. Mr. Reiter stated it was his understanding that intense development prior to 1973 was dealt with under less stringent rules than those currently in effect. The result, he said, was the evolution of a problem with which the local people dealt through invoking their own moratorium.

Commissioner Somers asked if Mr. Reiter was, in essence, saying that, under the current stringent rules, there was no need for a moratorium in any area of the state. Mr. Reiter responded that there was, in his view, a need for a moratorium in those areas where, even though individual lots might qualify under the present rules, it was undesirable to encourage new development in an area ridden with health and pollution problems. He stated that this rationale would apply to two other moratorium areas in Josephine and Douglas Counties upon which he wished to comment later.

Commissioner Somers asked if Mr. Reiter predicted no wholesale installation of septic tanks after the moratorium was removed and whether Mr. Reiter thought that State and federal planning and grants would be used to help the local people provide sewer service. Mr. Reiter replied he did not expect the problem to recur, given local efforts to abate the problem and the stringency of current Commission regulations on subsurface sewage. He added that many of the houses in the area were over 30 years old and that the problem, which was essentially solved, had been a problem of long-standing with older facilities.

Mr. Jim Pomejavich, an attorney representing certain property owners in the Deer Haven Heights Subdivision in Benton County, near Philomath, addressed the Commission. Mr. Pomejavich contended the problem in the proposed

moratorium areas could be handled under existing rules on a case by case basis. He argued that the problem was an "acre by acre" problem, not deserving of a blanket moratorium. It was pointed out that a moratorium which included lots otherwise suitable for septic systems was tantamount to condemnation of those lots. He conceded that Deer Haven Heights, a subdivision said to contain approximately 100 acres in some 30 lots, had low-lying areas clearly unsuited for septic systems. On the other hand, he argued, a community sanitation study of the area clearly indicated that some of the property on higher ground could adequately support a septic system. He added that several systems in the area now were functioning perfectly well on lots varying from one to five acres in size. Mr. Pomejavich conjectured that Benton County health officials felt existing rules would allow for competent handling of Deer Haven Heights. He noted that some of the people he represents were sure their property would not support a septic system. On the other hand, he argued, some of his clients had properties which could support a septic system and should be allowed one.

Mr. Pomejavich asked the Commission to explain what variance procedures would be available should a moratorium be invoked. Mr. Cannon answered that current legislation (SB 34) would, if enacted, provide the Department and the Commission with powers to adopt rules for variance procedures previously unauthorized. He went on to explain that, under the proposed legislation, variance officers with expertise in soils sciences and sanitary systems would be named. The Department and the Commission, he said, would adopt rules specifying the methods to be used in naming variance officers who in turn would be empowered in specific cases to approve variances from the existing rules. Mr. Pomejavich predicted that, under this legislation, it would take the Commission and the Department from six months to a year to adopt the requisite rules and appoint personnel to begin considering variances. He asked if there were any interim relief by way of variance which would be available to residents of Deer Haven Heights in the event the moratorium were invoked.

Commissioner Crothers responded that, in his view, variances were not contemplated where a blanket moratorium was in effect. He added that these moratoriums had first been invoked by local authority and asked if Mr. Pomejavich was representing a local governmental agency. Mr. Pomejavich answered negatively, adding that he believed Mr. Heydon from Benton County was present and could be heard on the subject of local government's position.

Commissioner Somers inquired of the possibility for further subdivision in Deer Haven Heights, and its attendant increase in density of septic systems. Mr. Pomejavich responded that in his believe, under current zoning the minimum lot size would be five acres, leaving very little room for further subdivision in the area. He added that under previous zoning regulations some lots as small as one acre were developed.

Mr. Pomejavich proffered to the Commission a report on the sanitation study done in the area and a topographical overlay of the area which demonstrated that both high and low elevations were present in the subdivision.

He suggested that, if the moratorium were adopted, the Commission should order the Department to conduct a public hearing in the affected area, not simply authorize the Department to do so.

Commissioner Somers inquired why, given the previous regulations imposed by the Health Department, the problems now existing in Deer Haven Heights had occurred. Mr. Pomejavich replied that the Health Division's regulations had been subject to various changes and might have been inadequate during some previous term. Commissioner Somers opined that the rules had not changed to any great degree. Mr. Pomejavich added that there was always a risk of individual error in the interpretation of the rules. Commissioner Somers inquired as to the possibility that sewer service might be extended to Deer Haven Heights and received the answer that, in Mr. Pomejavich's opinion, it was unlikely given that the nearest sewer trunk line was some two and a half miles away in Philomath. Mr. Heydon concurred in this view.

Commissioner Somers inquired as to the average value of the tracts in Deer Haven Heights and received Mr. Pomejavich's estimate that \$1,000 to \$2,000 per acre would be a conservative guess. Mr. Pomejavich said that he knew of one owner holding 10 acres who had received an offer of \$15,000 for the land alone. He added that some of the residences were probably \$50,000 to \$60,000 in market value. Commissioner Somers inquired what would be the benefit in owning an expensive house if the septic system were working improperly. Mr. Pomejavich replied there were evidences of failure but no residence had been condemned and he knew of no problem which could not be corrected.

Directing the Commission's attention to Exhibit 18 of the staff report (an older map of Deer Haven Heights), Mr. Pomejavich pointed out several lots which had experienced septic tank problems and noted that in each case the lot was on low ground. Mr. Pomejavich then pointed out several lots which had experienced no malfunction and which were all on higher ground. In response to Commissioner Somer's inquiry, Mr. Pomejavich pointed out that, while he had been referring to lots with septic installations which had not experienced trouble, there was much undeveloped high ground left in the subdivision which, in his opinion, could support new septic systems.

In response to inquiry from Commissioner Hallock, Mr. Pomejavich pointed out that there were approximately 20 homes in the Deer Haven area, leaving the potential for development of approximately 15 more lots. He assured Commissioner Hallock that some of these undeveloped lots would not be developed under existing septic tank installation requirements and contended that the Department's rules governing septic tank installations would insure freedom from health and pollution hazards in the remaining cases.

Answering a question of Commissioner Phinney, Mr. Pomejavich stated that, of those he represented, only 2 presently owned dwellings in Deer Haven Heights.

Chairman McPhillips asked Mr. Pomejavich for an estimate as to how much construction would take place in the Deer Haven area during the next 120 days with no moratorium. Mr. Pomejavich stated that he knew of one, and perhaps as many as three, applications for permits that would be filed immediately. He added that he did not know if all of these applications would be found acceptable under current rules, and predicted that at least one of them would be found acceptable and result in immediate commencement of construction. Mr. Pomejavich cautioned that of the 17 remaining undeveloped lots in the area, he only represented a few owners and could not speak for the intentions of the remaining owners. He asked that the Commission call upon Mr. Heydon of Benton County to be sure that he had not unintentionally misstated Benton County's view in the matter.

Mr. Roger Heyden, Benton County Sanitarian, presented the Commission with written testimony prepared by his office with regard to areas of moratorium proposed for Benton County. He stated that the Commission could examine the testimony at its leisure but that he wished to comment fully on the Deer Haven Heights area. Mr. Heyden referred to a detailed study conducted jointly by the State Health Department and his office during April of 1974. He noted that, as of the present, there were 22 single family dwellings in the area and that subdivision since 1968 had resulted in a total of 37 lots, developed and undeveloped, in Deer Haven Heights. Zoning ordinances effective August 1, 1974, he reported, left an outlook of continued low density population in the area due to the minimum lot size of 5 acres now required. Mr. Heyden stated that lot sizes ranged from approximately one acre to greater than five acres and that the area topography involved sloping in all directions, ranging from 3 degrees to 10 degrees. He reported a predominant slope influence to the southwest. Mr. Heyden went on to state that the predominant soil type had a permeability of .06 to .2 inches per hour (low permeability) 14 to 39 inches, due to a relatively heavy clay-loam texture. He noted that the southwest portion of the area had a soils classification involving less permeability than the rest of the area, .06 to .2 inches per hour at 18 to 20 inches. Mr. Heyden said the soil classifications were from soil conservation charts and might vary within the Deer Haven Heights area. Dealing with adverse geological and water table formations, Mr. Heyden explained that the sloping toward the southwest formed a natural bowl which resulted in perched water tables at the restrictive depths during certain times of the year. He reported that well logs in the area, an area supplied primarily by individual sources, indicated adequate water supply at the present time. He mentioned the proximity of one community system whose capacity was unknown, and the prediction that future development of Philomoth, two and a half miles away, would not result in community water from that quarter being supplied to Deer Haven Heights in the near future. A stream one half mile from the Deer Haven Heights was not considered a major surface water source. Mr. Hayden reported that 36% of the 22 houses investigated in the survey had failing systems. He added that attempts to correct the failing systems could not be evaluated at the present time. It was the opinion of Mr. Heyden's office that the area must be restricted to low-density development to accomodate sub-surface sewage installation systems.

In response to inquiry from Commissioner Somers, Mr. Heyden stated that the present rules gave neither difficulty of understanding nor difficulty of enforcement and would, in his view, be adequate to protect Deer Haven Heights in the absence of a moratorium.

Commissioner Somers asked Mr. Heyden why it was necessary to have blanket moratoriums in any of the areas of Benton County, given the case by case possibilities of administration of the current stringent rules. Mr. Heyden replied that, in his belief, the moratoriums had arisen from a local philosophy wherein it was determined better to restrict further development in areas which already experienced a health problem, even though the restriction might include lots which otherwise would be suitable for septic tank installation. Commissioner Somers questioned whether or not this amounted to inverse condemnation.

Commissioner Crothers asked Mr. Heyden what would be the desire of the Benton County government in this matter and received the reply that, in Mr. Heyden's understanding, local government would prefer that local hearings be conducted with regard to each moratorium area. Commissioner Crothers asked if this meant they would have the Commission continue the moratorium in each of the areas until such time as local hearings could be conducted. He received an affirmative answer.

Commissioner Crothers asked Mr. Cannon what would be the time span necessary to conduct the requisite local public hearings and learned that the Department would attempt to conduct the hearings within a month and report on them June 27th.

Noting that past rules had resulted in a 36% failure, Commissioner Phinney asked Mr. Heyden what, in his professional opinion, would be an acceptable percentage of failures. Mr. Heyden replied that, on a statewide basis, he did not think a 20 to 25 percent failure rate on septic systems installed since 1968 was an uncommon occurrence. Commissioner Phinney stated that, while this percentage might not be uncommon, it was hardly acceptable in view of the investments lost by those 20 to 25 percent of the people installing the systems. Mr. Heyden agreed and noted that, in his view, the previous rules had been vague and unmanageable and predicted the present rules would improve upon this percentage.

In response to Commissioner Somers' question, Mr. Heyden stated that his experience in interpreting the rules had gone back to 1966. Commissioner Somers noted that Mr. Heyden had considerable experience in the field and added that it should be remembered that many septic systems would fail over a protracted period of time. Mr. Heyden agreed with this assumption. He said he felt there was a concensus of opinion among those in the field that there were now definable standards and concurred with Commissioner Somers that the enforcement of these standards would result in increased longevity for septic systems. Mr. Heyden added that, at the time the local moratoriums were invoked, the standards had not been satisfactory. Mr. Pat Emmons, owner of property in Kingston Heights, stated that he had a subsurface sewage disposal permit for his Kingston Heights property prior to the moratorium and urged that, if the Commission found Benton County authorities capable of handling Deer Haven Heights under existing rules without a moratorium, the same considerations would apply to Kingston Heights.

Mr. Robert Steel presented himself as a homeowner in Kingston Heights who had been victimized by a poor septic system installed to serve a home he had purchased. He stated that within 30 days after his purchase of this brand new home, a septic problem was apparent. He said there were many problems in the Kingston Heights area similar to his. Mr. Steel stated that he had \$35,000 invested in a house which by rights should be condemned and asked who protects homeowners from such catastrophies. Mr. Steel said subsurface sewage had risen in his backyard, rendering it impossible for him to build a fence in the backyard, plant a garden there, or otherwise enjoy the backyard.

In response to Commissioner Somers' inquiry, Mr. Steel stated that he had been in the house since February of 1974, and that he had discovered that the warranty required for new houses contained several loopholes which made it impossible for him to obtain any redress against the seller of the house. Mr. Steel reported that the builder was going bankrupt and he was unable to obtain satisfaction from that quarter. He said efforts to move against the required \$2,000 bond had been frustrating. Commissioner Somers noted that a \$2,000 bond was hardly sufficient to secure a \$35,000 investment.

Mr. Steel contended that there had been too many problems in the Kingston Heights area to permit further construction and urged that the moratorium be invoked. He argued there had been too many unexplainable mistakes involving new septic systems to risk further installation.

He informed Commissioner Phinney that there were approximately 30 houses in the area and that he did not know the exact number of houses experiencing septic problems because there was a tendency in the neighborhood to keep the matter quiet. He reported that there had been instances of the sale of houses with faulty systems which left the buyer with the problem. Because of his propensity to bring the matter out into the open, Mr. Steel said, many of his neighbors declined to associate with him.

In response to inquiry from Commissioner Crothers, Mr. Steel reported that current discussions going on with Albany indicated that it would be 5 to 10 years before sewer service could be made available for the Kingston Heights subdivision. He added that the indications at present were that the Kingston Heights area would have to be annexed to the City of Albany before sewer service would be available. In response to Commissioner Somers' inquiry, Mr. Steel reported that he lived on Woodcraft Street in the First Addition of Kingston Heights on Lot 3, Block 6. He reported this was a low-lying lot at the foot of the hill surrounding the subdivision. Mr. Steel said his home was built in the latter part of 1973 and he had moved into it in February of 1974. Mr. Steel emphasized the catastrophic effects of situations where builders construct houses for sale to innocent persons, leaving buyers with the problem. He noted that in one instance in his neighborhood a faulty system would not receive any redress because the builder was now bankrupt. He mentioned the effects on family life that evolved from the unpleasant odor and the unavailability of the land for normal recreational uses or gardening purposes. Mr. Steel urged the Commission to contemplate such circumstances prior to making any decision on the advisability of the moratoriums.

Mrs. Edna Richards of Linn County addressed the Commission with regard to the proposed moratorium in the Foster-Midway area. She inquired as to what percentage of septic tank failure was considered a health hazard and received an answer from the Department's Mr. Osborne that, in his recollection, something on the order of 20% was the threshold used by the State Health Division. Commissioner Crothers added that a single failing septic tank did constitute a health hazard.

Mrs. Richards asked if she correctly understood the Benton County Sanitarian to have stated that septic tanks in a moratorium area had been repaired after the invocation of the moratorium and received an affirmative answer. Mrs. Richards reported curiosity as to why she had been informed by the Linn County Sanitarian that the moratorium precluded undertaking repairs of septic systems.

Mrs. Richards objected that she was being forced to annex to the City of Sweethome while the city predicted it would take anywhere from 5 to 20 years before sewer service would be provided and that in some areas of Foster-Midway sewer service would never be provided. Chairman McPhillips told Mrs. Richards that this problem was one which the Commission could not address. Mrs. Richards replied that she understood but wished, in any event, to bring it to the Commission's and the public's attention.

Mrs. Richards also inquired as to what "strings" would be attached to the City of Sweethome's provision of sewer service to her area. Mr. Cannon assured Mrs. Richards that as soon as plans were completed in this area everyone concerned would be informed whether or not they had to hook up, what amount of property assessment would be involved, what the sewer charges would be, and so forth. He added that legislation currently pending would involve an economic assessment of annexation as well as a health hazard assessment and permit the municipality, in appropriate cases, to avoid annexation if it appeared that the cost to the city of annexation and provision of services would be impossible to restore through the imposition of assessments.

Mrs. Richards stated that much of the problem in their area was caused by poor drainage and asked that consideration be given to improvement of the drainage system along Highway 20.

Commissioner Somers urged Mrs. Richards to inform herself of what the regulations are with regard to repair of systems and noted that repair was permitted where it did not involve expansion of the facility. Mr. Cannon added that it was his understanding that when a moratorium existed, repair which did not contemplate expansion of the system would be perfectly permissible and asked that Mrs. Richards talk with him after the hearing so that her misunderstanding could be ironed out.

Mr. C. William Olson of Josephine County Health Department addressed the Commission. He pointed out that the boundary of the Josephine County moratorium area (Fruitdale-Harbeck-Redwood) was inaccurate as reflected on the Department's exhibit 3 of the staff report in that it included an area which was serviced by sewer. Mr. Olson reported that everything west of Allan Creek was hooked up to sewers and no longer in need of moratorium action. Mr. Olson stated that the remaining area involved land which would not qualify for subsurface installation under existing rules, leaving no possibility for development even in the absence of a moratorium. Consequently, it was reported, Josephine County Board of Health, in a meeting one month previous to the Commission meeting, had decided to take no stance whatever on the Commission's decision with regard to continuing or discontinuing the moratorium.

Commissioner Somers asked if Josephine County had made a predetermination that the entire area was not fit for septic installation without examining it lot by lot. Mr. Olson replied that the area had been accepted by the people as a problem area for many years now and there was no pressure at all to grant permits for septic tank installations in the area. He added that it was part of the Redwood Sewer District and plans to service it were just getting under way. He alluded to a survey taken in 1970 which indicated a failure percentage as high as 40 percent for the area. Mr. Olson assured Commissioner Somers that, without qualification, there was not a lot in the proposed area which under current subsurface sewage regulations, would qualify for a permit. He added that it had been the custom to conduct tests during high-water, winter season in the area and that these had always had disqualifying results. Restrictive layers and winter water tables prevented their qualification, he reported.

In response to inquiry by Mr. Cannon, Mr. Olson reported that the Josephine County ordinances required hookup to sewers if the sewer was within 160 feet of the property line. He stated that no new septic installations would be permitted in that part of the moratorium now serviced by sewers and that existing systems, if found failing, would be required to hookup regardless of cost or distance.

Commissioner Somers asked if, under current rules, the permit applicant could be made to wait until the winter season prior to the decision whether to grant or deny a permit. Mr. Olson replied that, under current regulations, questions about the winter conditions could result in deferral of an application for purposes of winter testing and conceded that there had been some complaints about this process which had not thus far been extremely adamant. He cited realtors as the group complaining most. Mr. Olson added that the area was virtually one hundred percent given to winter failures and that few failures occurred during the summer dry season. He stated that the Health Department had not been overly stringent in attempting to correct existing failures due to the probability of sewer service to correct the problem in the near future.

Mr. Dick Lermon, Marion Co. Health Department, addressed the Commission with regard to the moratorium proposed for the City of Donald. Mr. Lermon pointed out that the City of Donald had experienced little regulation in earlier days, had problems involving hookup of sewer facilities directly to drainage systems, had invoked its own moratorium in April of 1974, and had undertaken a sewer study. On these considerations, Mr. Lermon urged the Commission to invoke a moratorium in the City of Donald until such time as municipal sewage collection and treatment becomes a reality for Donald.

Commissioner Somers inquired if he had heard correctly that some systems in Donald were hooked directly to storm sewers without the intervention of a septic tank. Mr. Lermon affirmed that there was evidence of this along with evidence of other extremely obsolete practices. Mr. Lermon noted that most of the houses in Donald were very old. Commissioner Crothers noted that many of the houses in Donald were 50 years old or more. Mr. Lermon added that the majority of the lots in Donald were between 7,000 and 10,000 square feet, small lots which tended to exacerbate the situation.

Mr. Lermon and Commissioner Somers concurred that most of the lots of Donald would not qualify for septic system installation under current rules. Commissioner Somers inquired if lot owners whose property would qualify, should be considered. Mr. Lermon responded that, with the extremely high winter water table in the area, he did not believe that any lots would qualify. Commissioner Somers then asked what would be the need of the moratorium. Mr. Lermon said that while it was a matter of opinion, his office's position was that a moratorium should be invoked as a safeguard.

Richard Reiter, administrator of the Department's Southwest Regional Office, addressed the Commission with regard to the proposed moratorium in the Josephine County area, noting that in the Fruitdale-Harbeck area success had been obtained in attempts to provide sanitary sewer service. Mr. Reiter added, however, that in the Redwood area there was not sufficient sewer service at present. Mr. Reiter reported that the EPA's requirement of an EIS for the proposed Redwood sewer project was causing delay in the project's completion. In the interim, he stated, the area was still besieged with numerous failing systems and the rationale to the original moratorium was still valid. On these considerations, Mr. Reiter urged the moratorium be invoked for at least six months to enable local hearings to take place which might result in the resolution of some of the delays in the sewer project and might result in changes of the moratorium boundaries where the same were found appropriate.

Referring to Mr. Olson's estimation that none of the Redwood area lots would qualify under existing rules, Mr. Reiter contended that this would not be known for sure until each individual lot was evaluated. He then stressed the importance of a moratorium to preclude the introduction of new people in an area declared to be a health hazard area. This was important, he stated, regardless of whether or not new systems could be expected to work. Even with a properly working system, it was disadvantageous to allow new development in a health hazard area, he argued.

Commissioner Somers inquired rhetorically if any of the property owners whose lands would qualify under existing rules had approached the Board of County Commissioners toward obtaining a rebate on the property taxes paid. It was Commissioner Somers' opinion that serious consideration ought to be given to the plight of the lot owner who would qualify in a moratorium area. In Commissioner Somers' opinion, if rules in effect now worked properly, it might be good judgement to forgo a moratorium.

Commissioner Somers inquired if newcomers would not be made aware through their olfactory senses of the existing problem and, thus apprised, better left to make their own decision as to whether they wished to enter the area. Mr. Reiter responded that, at certain times of the year, the problem was not readily apparant. He added, also, that there might be those who wished to develop their property after holding it for a lengthy period of time and were ready to do so not withstanding the problem.

Commissioner Hallock suggested that the argument used by Commissioner Somers might work both ways in that it might be the case that, given the non-qualifying nature of the great majority of the lots concerned, a moratorium would have minimal impact on a few lot owners while, at the same time, affording maximum protection for the community. Mr. Reiter responded that he would favor a moratorium until such time as the regional office and local authorities had time to examine the problem and return to the Commission with more detailed information. Mr. Reiter said this recommendation held for Douglas County also.

Turning his attention to the Glide-Idleyd area of Douglas County, Mr. Reiter reported that many bond issues had failed in attempts to provide funding for sewer services and that no sanitation districts remained in tact. He stated, however, that Douglas County officials were presently studying the possibility of providing a pressurized collection system to the area which would substantially reduce the problem at a minimal cost. In view of the continued existance of the high failure rate of systems in the Glide-Idleyd area as revealed by a survey undertaken in the fall of 1974, Mr. Reiter urged that a temporary moratorium be invoked in order to afford time for public hearing and the gathering of more definite information about the area. Mr. Reiter noted that one issue in any proposed hearings should be the question of boundary changes in light of the fact that the 1974 survey did reveal certain areas within the moratorium suffering a rather low failure rate at present and with soil make-ups which rendered repair of systems possible. Evaluation of the progress on the possible installation of pressurized system would be another issue, he added.

An unidentified speaker presented herself as a property owner on Whistlers Lane, on the very fringe of the Glide-Idleyd moratorium area. She stated she was informed by Douglas County officials that there was little likelihood the proposed pressurized system would provide service to her area, an area which was five miles out of Glide. She lamented that her mother owned a piece of property contiguous to hers and found the property unusable for a great many

purposes, including as a dwelling site under the existing moratorium. She objected that the moratorium in its present form was sketchy and that people near her could install systems while her mother could not. She noted that her mother's land was of the same characteristic as hers and that she had an adequate septic system which was installed with the advice of county sanitarians and included a pumping device to carry the effluent to the drainage field.

Dr. Crothers suggested that a motion might be in order to adopt the moratorium except in those areas where written request comes from local county governments asking for the abandonment of the moratorium. He also suggested that the directions to the Department not only authorize but instruct the Department to conduct public hearings in the local areas of moratorium.

Mr. Raymond Underwood, Commission Counsel, expressed reservation about predicating a present action on a future writing, and suggested that the Commission try to make definite its resolution of the matter today, either invoking all the moratoriums, or deleting those requested to be deleted by local authorities. Commissioner Crothers agreed.

It was MOVED by Commissioner Crothers, seconded by Commissioner Phinney, and carried that the amended Director's recommendation be adopted invoking the moratoriums in all the proposed areas on a temporary rule basis with the exception of that area of the proposed Jackson County moratorium, and instructing the Department to conduct public hearings in all of the locally affected areas as was suggested.

Mr. Pomejavich asked if Dr. Crothers had misunderstood the position of Benton County with regard to whether or not moratoriums were desired in that area. Commissioner Phinney responded she had attended a meeting of the Benton County Commissioners recently wherein it was her understanding that the Commissioners thought the moratoriums were needful. Commissioner Crothers added that the moratorium was temporary in nature and only intended for a duration of time which would allow hearings to be conducted and recommendations to be formed in the light of additional evidence. He added the hope that by the next Commission meeting, or in any event, by the Commission meeting thereafter, the Department would be prepared to make recommendations to the Commission with regard to each of the moratorium areas.

COMMENTS BY JACKSON COUNTY OFFICIALS REGARDING SUBSURFACE SEWAGE DISPOSAL PRIOR APPROVALS

Mr. Paul A. DeBonny, Director of the Jackson County Department of Planning and Development addressed the Commission. Mr. DeBonny noted that his Department took over the task of administering subsurface sewage disposal regulations in Jackson County in July of 1974. Since that time, he reported, there had been a series of administrative problems which had evolved. He noted that it was at the invitation of Commissioner Hallock that he was appearing to discuss these problems. Mr. DeBonny stated his wish to concentrate on two primary areas of concern, those being the area of prior approvals, and the area of variance procedures. Mr. DeBonny recounted a series of vacillating decisions with regard to property requested to be reviewed by Realtor Mr. Walt Sellers of Jackson County. Mr. DeBonny cited the two-month period consumed prior to final decision on prior approval as evidence of administrative problems regarding prior approvals. In the matter to which Mr. DeBonny alluded, the site was finally recognized as one subject to the prior approval clause based on the fact that, while it may not have qualified as an approval in accord with the rules in effect at the time regarding the minimum depth of the water table,

this provision of the previous rules was more restrictive than the 1974 rules. It was decided that where previous rules were more restrictive than the present rules, conformance with the present rules in the relevant respects would be sufficient to support a recognition of prior approval. Mr. DeBonny emphasized that he had recounted the incident not to cast aspersions on anyone but simply to illustrate the type of problem being encountered in the administration of the prior approval provisions. Mr. DeBonny then addressed himself to a position paper prepared by his Department to inform the Commission of his staff's position on the matter. Mr. DeBonny noted that when the Commission decided to honor all outstanding prior permits and approvals, three basic criteria were set down: (1) expressly authorized use of subsurface sewage disposal for an individual lot or for a specific lot within a subdivision, (2) approvals or permits which were issued by a representative of a state or local agency authorized by law to grant such approvals, (3) issuance in accordance with all rules in effect at the time. These items, Mr. DeBonny contended, had been interpreted in many ways and with changes over periods of time. Mr. DeBonny contended that fine distinctions could make the difference between issuance and denial and were therefore extremely important. Consistency, he emphasized, should be sought in such matters. The basic reason for recognizing prior approvals, he said, was to protect the landowner who had invested on the strength of a good faith belief that a septic tank permit was available. Mr. DeBonny argued that once it had been established that a permit was issued, the permit should not be measured against any rules. In deciding whether or not to recognize the prior permit, he contended, the agency should go back to the intent of the law to prohibit water pollution and protect the public health. He contended that in adopting the proposed amendments to the subsurface sewage regulations, the Commission should take the course of ordering all prior approvals except those in the extreme cases where successful installation and maintenance of a system was considered unlikely in the judgement of qualified professionals.

He contended that extension of recognition of prior approvals for another year would solve nothing unless a more equitable process were established for the administration of their recognition or non-recognition.

Turning to rule variances for local areas, Mr. DeBonny noted that administrative rules cannot perfectly deal with all cases and thought it appropriate to create variance procedures to avert inequities in the rigid application of the rules. He reported that under current variance procedure, his county had applied for designation of its rural zoned areas by the Director and been turned down because the request went to parcels with a minimum lot size of five acres; whereas the Director had preferred that any designation be based on a minimum lot size of ten acres. A request for reconsideration had been turned down in anticipation of the passage of SB 34, which would create a statewide variance procedure. Mr. DeBonny thought it rather apparent that the legislature would pass SB 34 in some form and then some variance procedure would evolve. He was concerned that, due to the great area in Jackson County having severe limitations for subsurface systems, many applicants would apply for a permit, be denied after having paid \$50, and request a variance with an additional \$150 fee only to be denied again. Mr. DeBonny opined that professional sanitarians and soils scientists should be given more discretionary authority to determine suitability and design of systems. He thought a hearing officer should be necessary only in extreme cases where all available local remedy is exhausted. Based on these considerations, he made the following recommendation:

- 1) Environmental Quality Commission expand the O.A.R. concerning rural areas designations to specifically include compliance with the County's Comprehensive Land Use Plan, general rural character as designated by exhibit map, and minimum lot size of five acres.
- 2) Removal of the criteria for Prior Approvals that requires compliance with the rules in effect at the time, and substitute;
 3. Construction shall conform as nearly as possible with the current rules of the commission.
 4. The site is suitable for installation of a subsurface system (not including alternate systems unless approved by E.Q.C.) that will not pollute the waters of the state or endanger public health as determined by the Department.
- 3) Acknowledge that contract counties carry the full authority of statute that relates to the Department of Environmental Quality except for those areas specifically excluded by O.R.S. or O.A.R.

Mr. DeBonny urged that consistency and equitability be sought in the administration of any rules or statutes, and stated that problems existed which would have to be solved before the statutes could be administered in a manner conforming with legislative intent.

Mr. DeBonny stated that the reason for the last of his recommendations was extreme concern that, as a contract agent for the DEQ, the Jackson County Department of Planning and Development be able to issue or deny permits with a high degree of finality, and insure that all local remedies were sought prior to any further appeal.

Commissioner Somers inquired about Mr. DeBonny's procedure where prior approvals were discovered which did not conform to then existing rules. Mr. DeBonny replied that these were a problem. He noted that presently in Jackson County there was a danger that a great many permits would be subject to revocation and hoped that no stone would be left unturned which might lead to the granting of the permits. He feared that some permits might have to be revoked owing to technical interpretations of the rules, rather than a professional analysis of whether or not the system sought would pose a health hazard or water pollution problem.

Commissioner Somers asked for Mr. DeBonny's estimate of how many complaints flowed from a misinterpretation of staff's information to individuals and a failure to provide the individuals with the rule in issue so as to afford the individual an opportunity to study what could or could not be done. Mr. DeBonny replied that he thought very few problems of this nature arose, at least at the present time. Mr. DeBonny added that, since his Department took over the regulation of subsurface sewage, policies in force with the predecessor agency had been changed. He noted that the soils scientists had been instructed to evaluate each individual site with an eye to finding a portion of the site suitable for installation, rather than simply taking random tests at various points on the site. It was Mr. DeBonny's hope in operating the Department, to provide the maximum possible service to each individual.

Commissioner Somers then inquired how many private lagoons had been approved in Jackson County and whether or not any had been encouraged by Mr. DeBonny's department. Mr. DeBonny replied that he was unaware of the number of lagoons and that his Department did not encourage their use.

Commissioner Somers noted that a resident of a southern Oregon county had informed the legislature that that county sanitarian had forbidden him to install a septic tank on a 400 acre parcel of land. Mr. DeBonny responded that he was not aware of any such ruling having been made by his department. Commissioner Somers noted that it was the Commission which generally took the blame for such incidents.

Commissioner Somers asked how the Commission could effectuate Mr. DeBonny's third suggestion without actually returning the entire program to the county. Mr. DeBonny responded that he agreed with the concept of subsurface sewage regulations being left in a state agency to ensure uniform statewide administration. On this basis, he reported, he would not favor a return of the program to the county level. He urged, however, that the rules be drafted to avoid problems of interpretation and focus on legislative intent.

Commissioner Somers sympathized with the difficulties to which Mr. DeBonny alluded, agreed that in normal circumstances an applicant should not have to wait so long for interpretation of the rule, and recalled that in October the prior approval rule had been reevaluated and broadened even more than it had been originally. He asked if further broadening of the rule was desired. Mr. DeBonny responded affirmatively.

Jackson County Commissioner, Tam Moore, addressed the Commission and stated that he thought the problem was one of interpretation. He desired to inform the Commission of the scope of the problem encountered in Jackson County. He cited a report prepared by Mr. Dave Couch when the latter was a county employee in May of 1974 which analyzed the caseload of permits granted for undeveloped land over the 5200 files then in the Department's office. (Mr. Moore noted that the files now numbered over 5500). Mr. Couch's report indicated that, in 1971, 310 permits had been issued for undeveloped land. These had been preceded by standard percolation tests. In 1972, there were 534 undeveloped permits out of approximately 1100 applications. These had been granted in 50% of the cases after percolation tests and, in the remaining 50%, after soils analysis with the aid of back-hoe ditching. In 1973, it was reported, 968 permits were granted for undeveloped property out of 1379 permits. The total was, Mr. Moore reported, 1842 "undeveloped" permits out of 3300 granted in the three-year period. This amount, Mr. Moore reported, was over 55% of the total permits approved by the Jackson County Department of Planning and Development since May 1 of 1974. He added that approximately 160 prior approvals had been processed since invocation of the present rules, contending that this indicated the magnitude of the problem that lay ahead. Mr. Moore went on to quote from Mr. Couch's report, citing the latter's conclusion that the majority of the prior approvals were not valid under present rules due to a lack of information in the county's files. On the above consideration, Mr. Moore urged adoption of a rule going to the validity of the site itself, rather than going to what was contained in the files. He argued that it was a waste of Mr. Underwood's and Mr. Spies' time to sit in Portland and evaluate files and interpret rules when the problem was a problem going to the nature of each individual site. Mr. Moore interpreted Mr. Couch's report to indicate that of the prior approvals, outstanding in Jackson County, 882 probably could not meet the existing rules.

Commissioner Somers recalled that, in a neighboring county, a problem had occurred wherein the files indicated that, during spring high water runs, houses had been filled with 6 inches of water. Applications in these areas had been approved, apparently through the incompetence of the approving official. He inquired as to how the Commission should approach the problem of prior approvals without having to single out instances of incompetent behavior and fix blame. Mr. Moore suggested that the rule be amended so that the prior approval would receive recognition if it did not, in the opinion of the issuing official, constitute a health hazard or a water pollution problem. Mr. Somers rejoined that this would vest final authority in the discretion of a local official. Mr. Moore contended this would be appropriate if the applicant had recourse from wrongful judgement through the appeals procedure which had been set up.

Commissioner Somers asked Mr. DeBonny for an estimate of the cost that would be involved in having regulations printed up and adding the requirement that when a permit is sought the applicant receive a copy of the regulations so they can understand them. Mr. DeBonny responded that the principal problem with this was involved in people's reluctance to read handouts. He noted that fact sheets are often handed out in the case of permit issuances and seldom read. The only remedy for this problem that he knew was to persistently attempt to explain the regulations to people.

Mr. Moore added that, in his view, the basic problem was the lack of an adequate standard in the rule. He argued that the permit holder and the Department could both read the rule, but that the rule itself should go back to the question of health hazards and water pollution.

Chairman McPhillips inquired of Mr. Moore how long it was advisable to honor prior approvals. He noted that many of the prior approvals had been outstanding for several years.

Mr. DeBonny responded that, as was pointed out in his position paper, he felt that the time factor was not relevant in that the public would be protected by a basic standard going to the question of health hazards and water pollution.

CONSIDERATION OF ADOPTION OF PROPOSED REVISIONS TO OREGON ADMINISTRATIVE RULES PERTAINING TO SUBSURFACE SEWAGE DISPOSAL

Mr. Jack Osborne of the Department's Land Quality Program presented the staff report to the Commission. The history of the Citizens' Task Force efforts in drafting the proposed rule revision was summarized. It was reported that the record of a May 21st public hearing on the proposed revision would not be closed until June 2, 1975. For this reason it was the Director's recommendation that the Commission adopt as a temporary rule, to become effective immediately upon filing with the Secretary of State, the Proposed Revisions to OAR, Chapter 340, Division 7, Subsurface Sewage Disposal, May, 1975, as amended by the following:

- 1) The accompanying Errata Sheet,
- 2) Amendments to section 71-010(39) (Definition of "Header pipe"),
- 3) Amendments to section 71-030(4) (d) (Requirements for header pipes),
- 4) Amendment to the design of drop box in Diagram 11A,
- 5) Amendment to Paragraphs VA and VB of Appendix B,

- 6) And, Deletion of "Seepage pits and cesspools shall not be used, except in those counties of three hundred and fifty thousand (350,000) population or greater. No new land partitioning or subdivision shall be made based on the use of seepage pits or cesspools." from section 71-030(5) (a).

In response to inquiry from Commissioner Hallock, Mr. Osborne explained that the deletion of the above-mentioned sentences would leave the present regulations regarding seepage pits and cess pools in tact. He added that, under the present rules, seepage pits and cess pools were allowed where they could meet the requirements pertaining to them. Mr. Osborne added that the proposed provision relating to seepage pits and cess pools would have a great impact in Multnomah County, an impact which, in staff's view, justified delay until such time as the Commission could review all of the public testimony given on this subject in the May 21st hearing.

Commissioner Hallock inquired if it was the Director's recommendation that the Commission not accept the proposals by Jackson County with regard to the "prior approvals" clause. Mr. Osborne responded that the proposal to recognize prior approvals for one year longer than they are recognized under current rules was not an adequate solution, but an interim measure. He pointed out that the prior approvals problem was a very difficult one whose solution was being sought. It was Mr. Osborne's hope that, within the next 120 days, the citizens' Task Force would be able to deal with the prior approvals question a little more definitively than had been accomplished so far. Commissioner Hallock requested whether Mr. DeBonny's proposal would be more suitable than the proposal to postpone the prior approvals problem for another year and received Mr. Osborne's response that he would prefer to use the coming 120 days to allow the Citizens' Task Force to evaluate the problem further. Mr. Osborne added that he felt the philosophy behind Mr. DeBonny's proposal was more in alignment with the thinking of staff than was the notion of simply postponing the problem for another year. He explained that if the postponement were adopted as a temporary rule it would last for 120 days, affording an opportunity in the interim to come up with an alternative to the present proposal.

Commissioner Hallock questioned Mr. Osborne with regard to his technical views concerning the effect of Mr. DeBonny's proposal on the prior approvals that had to be revoked in Jackson County. She added that she was not asking for Mr. Osborne's view of whether Mr. DeBonny's proposal was politically sound, but rather whether it was technically sound. Mr. Osborne responded that he would have no personal, professional objection to handling prior approvals on a case by case basis and following the opinion of an experienced professional with regard to the questions of water pollution and health hazard.

Commissioner Somers noted that, unless the Commission took some action, those holding prior approvals would forfeit the current building season. He added that waiting 120 days to finally resolve the question would consume the building season.

Commissioner Crothers wished to know if he understood correctly that it was the Department's recommendation that the Commission temporarily adopt the rules as proposed by the Director to afford the Citizens' Task Force interim time to work on the controversial proposals. Mr. Osborne concurred with this understanding.

Commissioner Crothers said his only difficulty with Mr. DeBonny's proposal was that it would invite repetition of the conflict in those instances wherein it was decided the site was not suitable under Mr. DeBonny's standards. Commissioner Hallock replied that her understanding was that part of the present problem was that the present rule was contingent on matters other than whether or not a system on the prior approved site would constitute a health hazard or water pollution hazard. Commissioner Crothers stated that there was no question about the proper standard; that the object was to put an end to pollution of the waters of the state. He concluded that this process all came back to the reviewing of individual permit applications. Commissioner Crothers stated that his preference would be to have the Citizens' Task Force contemplate the matter further prior to any Commission action.

Mr. Osborne relayed the suggestion of Mr. Spies that the staff could return to the next Commission meeting with a specific proposal regarding prior approvals.

Commissioner Phinney inquired if prior approvals did not, in fact, receive preference over permits granted under the present rules in that the holder of a recognized prior approval was allowed a longer period of time in which to complete construction. Mr. Osborne replied that this was correct.

Commissioner Phinney asked whether the Proposals would exempt pit privies from only the permit requirement, or from both the permit requirement and other requirements relating to setback and so forth. Mr. Osborne said they would be exempted from the requirement of obtaining a permit but would not be exempt from other requirements of the rules. He stated the purpose to be relief for situations wherein, under the current rules, there was a technical requirement to obtain a no-fee permit each time a portable pit privy was moved.

Commissioner Phinney inquired as to why the proposals adopted a standard, per unit, daily capacity for mobile homes located in mobile home parks instead of adopting a capacity based on bedroom spaces as had been the case with all other dwellings. Mr. Osborne replied that, for reasons unknown, the mobile park industry was able to demonstrate that mobile homes located in mobile home parks produce a sewage flow per unit which is less than that resulting from other dwellings. He was unable to explain how mobile home park dwellers managed to use less water.

Commissioner Somers suggested that the question of prior approvals be tabled until later in the meeting to afford Commission Counsel, Mr. Spies, and the representatives of Jackson County an opportunity to confer privately toward drafting a proposed temporary rule to place before the Commission for consideration later on in the day. This suggestion was accepted.

Mr. Robert McDougal of the Home Builders Association of Metropolitan Portland addressed the Commission. Mr. McDougal noted that his organization presented testimony to the hearings officer on May 21st which could be considered by the Commission and added that his organization was in agreement with staff's recommendation that the proposals regarding restriction of cess pools and seepage pits be deleted. He presented the Commission with written testimony regarding the proposed rules.

Mr. Terry Rahe of the Columbia County Health Department, representing the sanitarians of Columbia, Washington, Multnomah, and Clackamas counties, recommended that the deadline for recognition of prior approvals remain July 1, 1975 as under the current rules. It was reported that the sanitarians of the Portland region

counties had met on April 15th and discussed the situation at some length. Their conclusion was that the honoring of approvals based on insufficient technology was not in keeping with the statement of general purpose included in the administrative rules. He contended that the homeowner was not well served by permission to install a system which did not have potential for adequate functional longevity. This is particularly unfortunate, he reported, where the homeowner purchases the home from a developer who installed a septic system based on a prior approval. He cited Mr. Steel's testimony as being indicative of the type of harm which could occur in this fashion. Mr. Ray argued that the only fair approach was to require all development in the state of Oregon to proceed under equal standards. Mr. Rahe quarreled with the notion that prior approvals should be allowed where they don't present a potential health hazard or water pollution problem on the ground that systems do not present these problems only if they conform with the present rules. He pointed out to the Commission that, under the current rules, prior approvals could be honored until July 1 of 1975 and, in turn, the completion of construction would not have to occur until July 1, 1976, affording the permit holder full use of the current building season.

Commissioner Somers asked if Mr. Rahe would concede that persons holding prior approvals had already gone through the permit application process in good faith. Mr. Rahe conceded this but added that, under the current rules, holders of prior approvals still had thirty days in which to obtain recognition of them and had over a year in which to complete construction. Commissioner Somers contended there was harshness involved, noting that, in other "phase-out" legislation, such as the phasing out of commercial signs along the highway, periods ranging from four to five years had been given for cessation. Mr. Rahe responded that, while the problem was not being approached by field technicians on a political basis, the Commission had, perhaps, not been informed of the very gross nature of a great many prior approvals left to be considered. From a technical standpoint, he argued, further solicitude would be unwarranted in that the same would open the door for some highly unsatisfactory installations. He added that technicians were grateful that they presently had a set of rules which were workable. He argued that he, as an individual, would not want to buy a house built under a prior approvals provision.

Commissioner Crothers inquired if Mr. Rahe would be happy with a provision that, when prior approvals are recognized, they are recognized with some type of attached warning stating the technician's opinion that, though the permit is valid, the system would probably fail. Mr. Rahe opined that this was already a requirement. Commissioner Somers said he thought the requirement of this kind attached only to bio-systems at present. Mr. Cannon stated that it was appropriate to add to obsolete permits based on prior approval language stating that the system was granted under obsolete standards, or would not meet current standards and involved a risk of failure. Commissioner Somers acknowledged this possibility, but questioned its usefulness where there is no provision to have the warning filed with the deed records, so as to place any potential buyer on notice of the deficiency.

Mr. Rahe responded that he would not prefer a situation wherein the lending agencies were called upon to enforce proper septic tank installations, rather than having the Department do the same. Commissioner Somers rejoined that there remained the equitable considerations to be extended to those persons who had in good faith obtained prior approvals and invested in properties on the strength of the Department's previous position with regard to their permits. Mr. Rahe noted, that, in his view, many of the prior approvals will meet present standards, a

circumstance which would diminish the number of persons injured by reliance on the previous approval.

Mr. Underwood speculated as to whether it would be necessary to have a statutory enactment to render such warning admissible to the deed records. Commissioner Somers commented that it was his understanding that all that was necessary for entry to the deed records was that the document contain a description of the property and the notarized signature of its owner. Mr. Underwood and Commissioner Somers discussed briefly whether additional legislation would be required in order to authorize the presence of such a warning in the deed records of the county clerks.

Commissioner Hallock asked Mr. Rahe if he knew how many prior approvals would meet current standards. Mr. Rahe responded that he did not know, adding that a system installed on a prior approval, if the system could have met current standards, would be reliable.

Mr. Harding Chinn, representing the Multnomah County Board of County Commissioners noted that Multnomah County had presented its position on the proposed revisions before the hearings officer on May 21st and supported staff's recommendation that the proposed limitations on the use of seepage pits and cess pools in Multnomah County be deleted from the rule.

It was MOVED by Commissioner Somers, seconded by Commissioner Crothers, and carried that the Commission action on proposed rules be tabled until later in the day when interested parties had had opportunity to propose a clause dealing with prior approval which would resolve some of the problems discussed by the Commission.

BOISE CASCADE, SALEM - AIR QUALITY CONTROL PROGRAM: STATUS REPORT

Mr. Russ Fetrow, Administrator of the Department's Salem Regional Office, reported to the Commission on the progress of the Boise Cascade Salem plant mist eliminator installation with regard to its performance in attaining, within the July 1, 1975 deadline, emissions and opacity limitations for the plant's recovery system.

Commissioner Somers inquired if the mist eliminator was operating now. Mr. Fetrow responded that it was. Commissioner Somers asked why he was able to sense odor of the type emitted by the plant. Mr. Fetrow explained that the facility was being adjusted now and had many "bugs" to be worked out. At present, he said, the permittee was monitoring to see if filters were going to plug up. Upon ascertaining this information, adjustments in the recovery boiler might be necessary which might increase particulates to a level still within the limitation, but reduce SO₂ emissions. He stated that the mist eliminator was operating at approximately 90% capacity now, and that this was only the second day of its operation. Commissioner Somers conjectured that it was too early to draw any conclusions. Mr. Fetrow agreed, with the exception that it was apparent that the opacity problem in the Salem area had been diminished. Mr. Fetrow said that the permittee still had to install opacity and SO₂ monitoring equipment on the stack. It was MOVED by Commissioner Somers that the status report be continued until such time as the mist eliminator had operated long enough to provide data for its evaluation. Chairman McPhillips noted that the applicant had until July 1, 1975 to come into compliance and that it might not be until after the next Commission meeting when sufficient facts were known as to whether or not this had been achieved. Commissioner Somers concurred and added that it might not be fair to comment on the performance of the mist eliminator prior to the time when it was required to be effectively operating. Commissioner Somers' motion was seconded by Commissioner Crothers and carried.

VARIANCE REQUEST - REICHHOLD CHEMICAL COMPANY, ST. HELENS, OREGON

Mr. Tom Bispham of the Department's Northwest Regional Office presented the staff report and the Director's recommendation. The Director's recommendation was as follows:

It is the Director's recommendation that the Implementation Plan be amended and that a one year variance be granted to Reichhold Chemicals, Inc. from June 1, 1975, to June 1, 1976, under the following conditions:

1. Amend the current Air Contaminant Discharge Permit to include the variance period and conditions.
2. During the variance period the company will conduct investigations and pilot testing of the control devices which appear most capable of meeting grain loading or efficiency requirements which the company and the Department mutually agreed are likely to result in compliance with the Department's opacity standard.
3. Forty-eight (48) hours prior to the testing of any pilot equipment, the company shall notify the Department.
4. Thirty (30) days prior to the expiration of the variance, Reichhold shall submit a written report to the Department describing the results of the testing program and be prepared to enter a compliance agreement for any method proven acceptable.

It was MOVED by Commissioner Somers, seconded by Commissioner Hallock, and carried that the Director's recommendation be approved.

VARIANCE REQUEST - OREGON PORTLAND CEMENT CO., LIME, OREGON

Mr. Frederic Skirvin of the Department's Air Quality Program presented the staff report. He added that a letter received from the applicant on May 19th expressed disagreement with the originally proposed permit. After review of the letter, the staff was of the position, Mr. Skirvin reported, that the Director's recommendation should be accepted with the following amendments in the staff report before the Commission: Page 30, item B, subsection 1, "December 1, 1977" should read, "until September 1, 1978" (requested variances for kiln number 1). Page 5, item 3, "December 1, 1977" should be deleted. Also deleted would be the last word of the sentence, "respectively". With regard to the Director's recommendation, lines five and six should be changed by the deletion of the words "that the latter dates" and the substitution of "these dates."

It was MOVED by Commissioner Somers, seconded by Commissioner Hallock, and carried that the Director's recommendation be approved as amended.

It was MOVED by Commissioner Somers that the Director's recommendations with regard to the variance requests in Agenda Item H(3) (4) (5) be approved. Commissioner Phinney inquired with regard to the variance request of Continental Forest Products Company, Glide, Oregon, and was skeptical of staff's proposal to permit the applicant to supply the dates for his own compliance schedule. She asked if it were staff's intention to grant a variance for an unknown period of time plus 60 days. Mr. Skirvin explained that the applicant had installed a new boiler which was not working according to plan and which might be the subject of litigation in the near future. He said it was staff's intention to

give them some time to investigate whether the situation could be turned around, and, if not, to submit a compliance schedule upon discovery of this fact. The problem, Commissioner Somers and Mr. Skirvin concurred, was the indeterminate amount of time that any pending litigation might take up. Mr. Skirvin predicted that, absent the possibility of litigation with installation of additional controls, it would take approximately a year to come into compliance.

It was noted by Commissioners Somers and Crothers that the proposed variance would require the applicant to submit a tentative compliance schedule within 90 days and that that schedule was subject to the approval of the Department. It was mentioned also that the applicant's plant was in a relatively isolated area. Commissioner Somers' motion was seconded by Commissioner Hallock and carried. The Director's recommendation with regard to the three variances included in the motion were as follows:

Item No. H (3)

As there is insufficient time for the Department to fully investigate Union Oil of California's request for a variance extension before their present variance expires, it is the Director's recommendation that Union Oil be granted a 90 day extension of their present variance subject to the following conditions:

1. The maximum sulfur content of residual fuel oil to be sold, distributed, or used shall not be more than 2.5% sulfur by weight.
2. Union Oil shall continue to submit to the Department a report containing the sulfur analysis and quantity of each shipment sold or distributed in the State on a quarterly basis.
3. Union Oil Company shall provide, to the extent possible, all information requested by the Department to fully evaluate Union Oil's variance extension request and that such information shall be supplied in the shortest time possible.
4. This variance extension shall terminate October 1, 1975.

Item No. H (4)

It is the Director's recommendation that:

1. A variance from Oregon Administrative Rules, Chapter 340, Section 25-315(2c) be granted to the SWF Plywood Company, Fir-Ply Division until November 30, 1975.
2. This variance be incorporated into Air Contaminant Discharge Permit No. 15-0012, for the Fir-Ply Division mill.

Item No. H (5)

It is the Director's recommendation that the EQC grant the Little River Box Company a variance to operate their new hogged fuel steam boiler out of compliance with OAR, Chapter 340, Section 21-020(2), Particulate Emissions Limitations, and 21-015(2), Visible Emissions Limitations, under the following conditions:

1. The Little River Box Company shall operate and control the hogged fuel steam boiler to maintain the visible and particulate emissions at the lowest practicable level at all times.
 2. Within ninety (90) days of the granting of this variance, the Little River Box Company will submit to the DEQ in writing, a proposed or tentative schedule to bring their new hogged fuel boiler into compliance with Oregon's Air Quality Rules and Standards.
 3. The above compliance schedule shall include the five (5) increments of progress, which are as follows:
 - a. By no later than * the permittee will submit a final control strategy, including detailed plans and specifications, to the Department of Environmental Quality for review and approval.
 - b. By no later than * the permittee will issue purchase orders for the major components of emission control equipment and/or for process modification work.
 - c. By no later than * the permittee will initiate the installation of emission control equipment and/or ~~on-site~~ construction or process modification work.
 - d. By no later than * the permittee will complete the installation of emission control equipment and/or on-site construction or process modification work.
 - e. By no later than * the permittee will demonstrate that the hogged fuel steam boiler is capable of operating in compliance with the applicable Air Quality Rules and Standards.
- *Date to be supplied by company.
4. The above compliance schedule must be acceptable to the Department, and it will be included in the company's Air Contaminant Discharge Permit, No. 10-0021.
 5. Contingent upon the submission to the Department of an acceptable compliance schedule by the company, this variance shall cover the time frame up to and including the fifth step in the increments of progress schedule, compliance demonstration, in Condition No. 3.
 6. As a contingency, the DEQ has the option of extending this variance sixty (60) days beyond the date in the fifth step of the increments of progress schedule (see Condition No. 3).

AUTHORIZATIONS FOR PUBLIC HEARING PERTAINING TO PROPOSED ADOPTION OF FEDERAL NEW SOURCE PERFORMANCE STANDARDS (NSPS) AND OF NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR CONTAMINANTS (NESHAP)

Mr. John Kowalczyk of the Department's Air Quality Program addressed the Commission on these agenda items. Commissioner Crothers asked Mr. Kowalczyk if he had any comment on a letter from Mr. Tom Guilbert wherein Mr. Guilbert declared that the holding of the proposed public hearings would constitute a meaningless act and a wasteful expense of the taxpayers monies. Mr. Kowalczyk replied that he

was not familiar with Mr. Guilbert's letter. Commissioner Crothers said that Mr. Guilbert had contended that the regulations proposed to be adopted were federal standards which the Department was compelled to enforce in any event and the holding of a hearing on whether they should be adopted would be meaningless. Mr. Kowalczyk noted that the federal government would be authorized to enforce the federal regulations in Oregon, but that he did not understand that the Department would be able to enforce them without first adopting them as a rule. Commissioner Crothers said that Mr. Guilbert had stated that he knew of no requirement of law that would prohibit the State from enforcing a naked federal standard. Commissioner Somers pointed out that the Commission could not adopt the federal standards as a rule without following the prescribed notice and hearing processes of the Administrative Procedure Act. Commissioner Crothers asked what would be the cost of a public hearing. No one present had a precise answer. Mr. Kowalczyk stated that it was the staff's intention to use a hearings officer to conduct both hearings.

Commissioner Hallock asked if, in some cases, the new federal standards were more strict than our own State standards and received an affirmative reply from Mr. Kowalczyk. Mr. Kowalczyk answered a question from Commissioner Phinney by stating that the new federal standards had been adopted with regard to the permits for the three proposed oil refineries. Commissioner Somers MOVED that the Director's recommendation to authorize both public hearings be approved. The motion was seconded by Commissioner Hallock and carried.

FIELD BURNING STATUS REPORT

Mr. Cannon reported to the Commission that the Speaker of the House had sent to the Trade and Economic Development Committee SB 311 and HB 2564. Mr. Cannon stated that a hearing was scheduled next Tuesday morning at 7:30 in the Public Service Building and that staff would be on hand to listen to the proceedings.

Commissioner Somers suggested that the Commissioners sign an order instructing the Department to construe Portland Chain Manufacturing Company's petition for a declaratory ruling to be a request for a hearing on the matter of an exception under the Department's noise rules and instructing the Department to conduct a public hearing on the issue of exception.

STATUS REPORT GERTZ-SCHMEER SEWER PROJECT

Mr. Harold Sawyer of the Department's Water Quality Program brought the Commission up to date on events relating to the Gertz-Schmeer Sewer Project which had been a subject of public forum discussion at the previous EQC meeting. Mr. Sawyer reported that the staff had reviewed, once again, the project plans for the sewer and had discovered several facts.

First, he reported that it was the understanding of the staff that houseboats would be served but were not included in the tax assessments. Since they were not property owners, they would not be assessed and the houseboat owners would be required to construct their own facilities to hook up to the sewer.

The second point of controversy was the depth of sewer lines. Mr. Sawyer reported that because of uneven ground the depth of the installations would be from six to twenty-one feet, ranging to greater depth when higher elevation was encountered. He added that there were basements in the houses to be served and that it was common, generally accepted design to place the sewer deep enough to serve the basements. From staff's point of view, in these respects, the was quite adequate.

With regard to Phase I of the project (the phase that would serve the area west of I-5, including the Multnomah County exposition grounds, Crown Zellerbach, and Portland Stock Yards) EPA had authorized the opening of bidding and this was expected to occur on the 29th of May. Mr. Sawyer reported that attorney Henry Biehuer and the City of Portland were in negotiations with respect to the phase of the project dealing with the other side of I-5.

Commissioner Somers asked if there were any representatives of the City of Portland present who could answer questions with regard to the project. No one appeared.

Mr. Sawyer pointed out that his information with regard to the non-grant portion of the assessments of the cost for trunk lines and interceptors had been spread over the entire surface area on a "per square foot of property" basis since these were common aspects of the projects which were considered to benefit all property owners. He stated that this component of the assessment would be very low. The lateral lines, Mr. Sawyer stated, would be bought through an assessment based on property frontage. This latter component was said to be the largest portion of the cost to property owners. The final component of assessment would be the cost to the individual property owners to provide for the connectors running from the laterals to their homes or buildings.

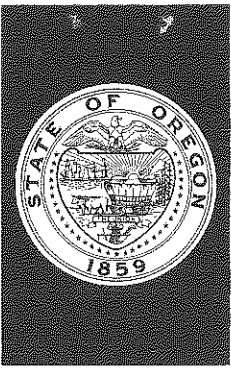
Mr. Sawyer explained that when the City projected the assessments to be expected by property owners, the projection was based on 100% of the cost of the entire project. It was not reduced by virtue of grant expectations. This, he reported, gave an inflated value to the projection.

Mr. Sawyer reported that several of the properties involved dwelling setback in excess of 300 feet from the property line, a characteristic which made it necessary to increase the depth of the sewer line over what it otherwise would be and which involve heavy assessments to the property owners affected.

COMMISSION ACTION REGARDING PROPOSED REVISION FOR RULES GOVERNING SUBSURFACE SEWAGE DISPOSAL.

It was MOVED by Commissioner Phinney, seconded by Commissioner Somers, and carried that the Commission adopt as a temporary rule [subsequently designated OAR, Chapter 340, Section 71-015 (8)] providing as follows: Application for construction permits under the "prior approvals" section of the rule shall be made prior to September 1, 1975 and construction shall be completed by September 1, 1976. All permits and written approvals issued prior to January 1, 1974 shall expire September 1, 1975.

The hearing officer was instructed to file a temporary rule with the Secretary of State promptly. The Commission concurred in the hearing officer's understanding that the Commission intended no action with regard to any of the proposed revisions for the rules governing subsurface sewage disposal other than as reflected by the above temporary rule. The remaining proposals were tabled until the June 27th Commission meeting.



ENVIRONMENTAL QUALITY COMMISSION

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RONALD M. SOMERS
The Dalles

KESSLER R. CANNON
Director

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item B, June 27, 1975, EQC Meeting
May, 1975 Program Activity Report

Discussion

Attached is the May, 1975 Program Activity Report.

Recommendation

It is the Director's recommendation that the Commission give confirming approval to the Department's plan/permit action for May, 1975.

KESSLER R. CANNON
Director

PWM:vt
6/18/75
Attached



Contains
Recycled
Materials

Department of Environmental Quality

Technical Programs

Plan & Permit Actions

May, 1975

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Plan Actions Completed (75)

Water Quality Program

May, 1975

Municipal Sewerage Projects (58)

<u>County</u>	<u>City and Project</u>	<u>Date of Action</u>	<u>Action</u>
Douglas	Roseburg - Umpqua West Estates Sewers	5/1/75	Provisional Approval
Washington	USA (Metzger) Clover Hts. Sanitary Sewer	5/1/75	Provisional Approval
Washington	USA (Aloha) Fallatin - Phase I Subdn. Sewers	5/1/75	Provisional Approval
Marion	Labish Village Sewer - Addendum No. 2	5/2/75	Approved
Lane	Richardson Park Boat Holding Tank Facility	5/6/75	Provisional Approval
Lane	Springfield - First Addn. Easton Subdn. Sewers	5/7/75	Provisional Approval
Multnomah	Gresham - Dowsett Lane Sewer & S.E. 9th & Francis Sewer	5/7/75	Provisional Approval
Clackamas	Milwaukie C.O. #1 - Milwaukie In. - Sch. 2	5/8/75	Approved
Washington	USA (Aloha) - Cross Creek #5 Subdn. Sewers	5/8/75	Provisional Approval
Umatilla	Hermiston - P.S. #7 on N.W. 11th Avenue	5/8/75	Provisional Approval
Malheur	Ontario - Tuttle Subdn. Sewers	5/8/75	Provisional Approval
Washington	USA (Durham) C.O. #7 & 8 STP Contract	5/12/75	Approved

Municipal Sewerage Projects (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date of Action</u>	<u>Action</u>
Clackamas	Oregon City - Hillendale Phase 3 Sewers	5/12/75	Provisional Approval
Washington	USA (Forest Grove) Tarrybrooke Subdn. Sewers (Cornelius)	5/12/75	Provisional Approval
Lane	Eugene - Benson Lane Cul-de-sac Sewer Extension	5/12/75	Provisional Approval
Jackson	Medford - Green Beret Estates Sewers	5/12/75	Provisional Approval
Marion	Salem (Willow Lake) Industrial Park II Sewer	5/12/75	Provisional Approval
Coos	Bandon Sewers - North Ave., Div. St. and First Street	5/12/75	Provisional Approval
Washington	Hillsboro (Rock Cr.) - Rood Bridge Road Sewers	5/13/75	Provisional Approval
Marion	Mt. Angel - Academy Street Sewers	5/13/75	Provisional Approval
Linn	Albany - East Central Sewers	5/15/75	Provisional Approval
Clackamas	Lake Oswego - Willamette-Marylhurst Interceptor	5/16/75	Provisional Approval
Lane	Eugene - 4 Sewer Projects	5/16/75	Provisional Approval
Coos	Bandon - Ferry Creek Sewer Extension	5/16/75	Provisional Approval
Washington	USA (Metzger) Washington Square Estates No. 2 Sewers	5/19/75	Provisional Approval
Clackamas	Lake Oswego - Palisades Hts. #6 (L.I.D. 166) Sewers	5/19/75	Provisional Approval
Marion	Stayton - James Second Addn. Sewers	5/19/75	Provisional Approval
Washington	Tualatin - Childs R. I-5 Sewer Crossing	5/19/75	Provisional Approval

Municipal Sewerage Projects (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date of Action</u>	<u>Action</u>
Polk	Salem - Harritt Drive Sewer	5/20/75	Provisional Approval
Jackson	Ashland - Siskiyou Safety Rest Area Sewer	5/20/75	Provisional Approval
Lane	Springfield - First Addition Sequoia Park Sewers	5/20/75	Provisional Approval
Jackson	BCVSA - Gebhard Road Sewer	5/20/75	Provisional Approval
Polk	Dallas - La Lack Addition Sewers	5/20/75	Provisional Approval
Jefferson	Metolius - Sewage Pumping Station Shop Dwg.	5/20/75	Provisional Approval
Deschutes	Bend - Vacuum Sewers - Research Project	5/20/75	Provisional Approval
Washington	USA (Aloha) - Phase III STP Improvements	5/21/75	Provisional Approval
Jackson	BCVSA - Medford Industrial Park Sewers	5/22/75	Provisional Approval
Yamhill	Amity - Getchell Street Sewer	5/22/75	Provisional Approval
Lane	Florence - Sixth & Hemlock (Boehme property) Sewers	5/23/75	Provisional Approval
Marion	Salem (Willow Lake) Starr Creek & 13th St. Sewers	5/23/75	Provisional Approval
Marion	Stayton - North Slope Addition #2 Sewers	5/23/75	Provisional Approval
Curry	Knoxtown San. Dist. Rogue Shores Subdn. Sewers	5/23/75	Provisional Approval
Washington	USA (Tigard) - Way Lee Subdn. & Englewood Phase 2 Sewers	5/23/75	Provisional Approval

Municipal Sewerage Projects (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date of Action</u>	<u>Action</u>
Washington	USA (Forest Grove) Sill's Addition Plat II Sewers	5/23/75	Provisional Approval
Coos	Coos Bay #1 - C.O. #3 STP Contract	5/27/75	Approved
Baker	Huntington-Chlorine Contact Chamber	5/28/75	Provisional Approval
Multnomah	Gresham - Lorraine - Phase II Sewers	5/28/75	Provisional Approval
Washington	USA (King City) Summerfield - Phase III Sewers	5/28/75	Provisional Approval
Clackamas	Milwaukie - Hollyberry Subdn. Sewers	5/28/75	Provisional Approval
Washington	USA (Somerset) Rock Creek Highlands No. 3 Sewers	5/28/75	Provisional Approval
Linn	Sweet Home - Kalmia Street Sewer	5/29/75	Provisional Approval
Washington	USA (Rock Creek) Equipment - Pre-bid Package - Rock Cr. STP	5/29/75	Provisional Approval
Washington	Hillsboro (Rock Creek) Merilee Park #2 Sewers	5/30/75	Provisional Approval
Marion	East Salem S & D #1 - Macleay Estates Sewers	5/30/75	Provisional Approval
Columbia	Clatskanie STP - Site Pre-load	5/30/75	Provisional Approval
Clackamas	Sandy - Trimble Park Subdn. Sewers	5/30/75	Provisional Approval
Clackamas	Oregon City - For-Mor Enterprises Sewer Extension	5/30/75	Provisional Approval
Multnomah	Portland - C.O. #10 STP Contract (Secondary)	5/30/75	Approved

Industrial Waste Sources (17)

<u>County</u>	<u>City and Project</u>	<u>Date of Action</u>	<u>Action</u>
Clackamas	Near Woodburn - Ted Wilson Hog Farm Animal Wastes System	4/11/75	Approved
Columbia	St. Helens - Boise Cascade - Water Treatment Plant, Waste Water, Suspension & Pump Sta.	4/15/75	Approved
Multnomah	Portland - Carnation Co. Albers Milling Division	5/2/75	Approved
Jackson	White City - SWF (Fir-Ply) Glue Waste Water Recirculation and Reuse System	5/2/75	Approved
Wasco	The Dalles - Martin Marietta - Phase I Scrubber Water Recirculation System	5/2/75	Approved
Lincoln	Newport - Point Adams Packing Waste Water Collecting and Screening Facilities	5/5/75	Approved
Lincoln	Newport - Peterson Seafoods - Waste Water Collecting and Screening Facility	5/5/75	Conditional Approval
Lincoln	Newport - New England Fish - Waste Water Collecting and Screening Facility	5/5/75	Approved
Lincoln	Newport - Bumble Bee - Waste Water Collection and Screening Facility	5/5/75	Approved
Clatsop	Astoria - Ocean Foods - Screening Facilities	5/8/75	Approved
Clackamas	Lake Oswego - Oregon Portland Cement Waste Water Treatment	5/9/75	Provisional Approval
Marion	Woodburn - Skylane Farms - Animal Waste (Egg Laying) Facilities	5/15/75	Disapproved

Industrial Waste Sources (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date of Action</u>	<u>Action</u>
Marion	Gervais - Skylane Farms - Animal Waste (Egg Laying) Facilities	5/15/75	Approved
Multnomah	Portland - Port of Portland - Steam Cleaning Waste Water Treatment Facilities	5/15/75	Approved
Clackamas	Estacada - Crown Zellerbach - Park Lumber	5/22/75	Approved
Clackamas	Tualatin - K-Lines, Inc. Waste Water Collection & Treatment Truck Wash Facility	5/22/75	Approved
Lincoln	Newport - Oregon Aqua Foods - Saltwater Rearing Pond Treatment System Modification	5/27/75	Approved

Plan Actions Pending (30)

Water Quality Program

May, 1975

Municipal Sewerage Projects (16)

<u>County</u>	<u>City and Project</u>	<u>Date Received</u>	<u>Status</u>
Curry	Harbor Sanitary District - Holly Lane Sewer	2/4/75	Held pending construction of Harbor S.D. System. Response (dated 2/19/75).
Douglas	Spendthrift Mobile Park STP	2/14/75	Requested add'l info. Under review. (Review completion projected 6/9/75.)
Lane	Veneta - Sewage Lagoon Expansion	(orig.) 3/24/75 (revised) 5/22/75	Under review. (Review completion projected June 16, 1975.)
Douglas	Riddle - Waste Water Treatment Plant	(orig.) 4/1/75 (revised) 5/21/75	Under review. (Review completion projected June 20, 1975.)
Lincoln	Starfish Cove Motel Sewage Treatment Plant	4/25/75	Review to be completed upon resolution of administrative problems between state agencies.
Douglas	North Roseburg San. Dist. Lateral A-13 & A-13-1	5/21/75	Under review (Review completion projected 6/6/75)
Washington	USA - Fanno Creek Interceptor	5/21/75	Under review. (Review completion projected 6/6/75.)

Municipal Sewerage Projects (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date Received</u>	<u>Status</u>
Coos	Charleston S. D. Sewerage System	5/19/75	Under review. (Review completion projected 6/11/75.)
Benton	Corvallis Sewage Treatment Plant Improvement	5/23/75	Under review. (Review completion projected 6/25/75.)
Josephine	Cave Junction Sewer	5/22/75	Under review. (Review completion projected 6/9/75.)
Marion	Silverton Sewer Projects	5/28/75	Under review. (Review completion projected 6/6/75.)
Marion	Salem - 12th St. Sewer	5/28/75	Under review. (Review completion projected 6/10/75.)
Douglas	Roseburg - Military Road Sewer	5/29/75	Under review. (Review completion projected 6/10/75.)
Lane	Springfield - Oregon Street Sewer	5/29/75	Under review. (Review completion projected 6/11/75.)
Lane	Springfield - Beaumont Fifth Addition Sewers	5/30/75	Under review. (Review completion projected 6/11/75.)
Multnomah	Inverness - 158th Sewer	5/30/75	Under review. (Review completion projected 6/11/75.)

Industrial Waste Sources (14)

<u>County</u>	<u>City and Project</u>	<u>Date Received</u>	<u>Status</u>
Multnomah	Portland - Oregon Steel Mills- Rivergate Preliminary Engr. Waste Water & Treatment	4/29/75	Review to be completed first week of June.

Industrial Waste Sources (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date Received</u>	<u>Status</u>
Clatsop	Wauna - Crown Zellerbach - Final Plans - Secondary Treatment System	4/22/75	Approval letter to be drafted June 2, 1975.
Washington	Aloha - INTEL IV - Neutralization Pretreatment System	4/24/75	Add'l requested information rec'd 5/22/75. Review completion projected June 20, 1975.
Klamath	Klamath Falls - Weyerhaeuser- Bark & Debris Control - Klamath River	4/24/75	Approval delayed pending formal adoption of log handling policy.
Washington	Hillsboro - Permapost - Waste Water Collection & Evaporation System	4/25/75	Final plans not rec'd as yet. NW Region has written asking for final plans.
Lincoln	Toledo - Georgia Pacific Final Plans Secondary Biological System	5/1/75	Visited plant 5/12/75. Letter drafted for add'l info 5/20/75.
Tillamook	East Fork of Trask River - Fish Commission of Oregon - East Fork Trask Pond - Fish Rearing Pond.	5/1/75	Review to be completed in June.
Marion	Salem - Boise Cascade - Yeast Plant Expansion	5/2/75	Memo recommending approval sent to Salem office 5/30/75.
Wasco	The Dalles - The Dalles Cherry Growers - Preliminary Proposal Waste Treatment System	5/6/75	Approval letter to be drafted June 3, 1975.
Wasco	The Dalles - Stadelman Fruit - Preliminary Proposal Waste Treatment System	5/6/75	Approval letter to be drafted June 3, 1975.

IndustrialWaste Sources (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date Received</u>	<u>Status</u>
Washington	Beaverton - Mears Controls, Inc.	5/19/75	Under review. Review completion projected 6/27/75.
Clackamas	Wilsonville - Joe Bernert Towing Co. - Wash Water Recirculation System.	5/22/75	Under review. Review completion projected 6/25/75.
Tillamook	Garibaldi - Edmunds Fish & Crab - Screening Facilities	5/27/75	Under review. Review completion projected 6/25/75.
Multnomah	Portland - Phillips Petroleum - Oil/Water Separator	5/28/75	Under review. Review completion projected 6/27/75.

Permit Actions Completed (56)

Water Quality Program

May, 1975

Municipal Sources (12) All NPDES)

<u>County</u>	<u>City and Source</u>	<u>Date of Action</u>	<u>Action</u>
Clackamas	Wilsonville - River Village Mobile Homes	5/12/75	NPDES Issued
Douglas	City of Canyonville	5/12/75	NPDES Issued
Josephine	Grants Pass - Josephine Co. School District (Fleming Jr. High & Manzanita Elementary School)	5/30/75	NPDES Issued
Benton	City of Monroe	5/30/75	NPDES Issued
Lane	Eugene Public Schools - (Twin Oaks Elementary School)	5/30/75	NPDES Issued
Douglas	Milo - Milo Academy, Inc.	5/30/75	NPDES Issued
Umatilla	City of Umatilla	5/30/75	NPDES Issued
Baker	City of Halfway	5/30/75	NPDES Issued
Klamath	Bonanza - Klamath County School District (Bonanza School)	5/30/75	NPDES Issued
Wasco	City of Dufur	5/30/75	NPDES Issued
Klamath	City of Malin	5/30/75	NPDES Issued
Lake	Town of Lakeview	5/30/75	NPDES Issued

Industrial Sources (44 All NPDES)

Coos	Charleston - Union Seafoods, Inc.	5/12/75	NPDES Issued
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Industrial Sources (Continued)

<u>County</u>	<u>City and Source</u>	<u>Date of Action</u>	<u>Action</u>
Marion	Silverton - Stayton Canning Co. Cooperative	5/12/75	NPDES Issued
Multnomah	Portland - Bird & Son, Inc. of Massachusetts	5/12/75	NPDES Issued
Marion	Stayton - Stayton Canning Co. Cooperative	5/12/75	NPDES Issued
Washington	Timber - Allied Equities Corp. (Empire Lite Rock, Inc.)	5/12/75	NPDES Issued
Lincoln	Depoe Bay - Depoe Bay Fish Company	5/12/75	NPDES Issued
Yamhill	Willamina - Willamina Lumber Company	5/12/75	NPDES Issued
Josephine	Grants Pass - Timber Products Company (Tim-Ply)	5/12/75	NPDES Issued
Coos	North Bend - Weyerhaeuser Co.	5/12/75	NPDES Issued
Lane	Leaburg - Oregon Wildlife Comm. (Leaburg Trout Hatchery)	5/12/75	NPDES Issued
Coos	North Bend - North Bend Water Board (Shorewood Water Treatment Plant)	5/12/75	NPDES Issued
Douglas	Reedsport - Johnson Rock Products, Inc.	5/12/75	NPDES Issued
Multnomah	Portland - Ross Island Sand & Gravel, Inc. (Boise Concrete Plant)	5/12/75	NPDES Issued
Douglas	Roseburg - Sun Studs, Inc.	5/30/75	NPDES Issued
Lincoln	Newport - Oregon Aqua-Foods Inc. (Wright Creek Hatchery & S. Beach Rearing Pond, Yaquina Bay)	5/30/75	NPDES Issued

Permit Actions Completed - Industrial (Continued)

<u>County</u>	<u>City and Source</u>	<u>Date of Action</u>	<u>Action</u>
Jackson	Ashland - Water Treatment Plant and Reservoir	5/30/75	NPDES Issued
Multnomah	Portland - Union Pacific Railroad Co. (Albina R.R. Yard)	5/30/75	NPDES Issued
Douglas	Roseburg - Roseburg Lumber Co. (Plant #3)	5/30/75	NPDES Issued
Lane	Dexter - Bohemia, Inc.	5/30/75	NPDES Issued
Benton	Corvallis - Rock Creek Water Treatment Plant	5/30/75	NPDES Issued
Benton	Corvallis - Taylor Water Treatment Plant	5/30/75	NPDES Issued
Lane	Eugene - Eugene Stud and Veneer, Inc.	5/30/75	NPDES Issued
Lane	Jasper - Hills Creek Lumber Company	5/30/75	NPDES Issued
Multnomah	Portland - Pacific Power & Light Co. (Lincoln Steam Plant)	5/30/75	NPDES Issued
Lane	Vaughn - International Paper Co.	5/30/75	NPDES Issued
Polk	Dallas - Willamette Industries, Inc.	5/30/75	NPDES Issued
Columbia	Columbia City - Crown Zellerbach Corp.	5/30/75	NPDES Issued
Lane	Eugene - Bohemia, Inc. (Culp Creek Mill)	5/30/75	NPDES Issued
Multnomah	Portland - Cascade Construction Company	5/30/75	NPDES Issued
Multnomah	Portland - Ross Island Sand & Gravel, Inc. (Hardtack Island Plant)	5/30/75	NPDES Issued

Permit Actions Completed - Industrial (Continued)

<u>County</u>	<u>City and Source</u>	<u>Date of Action</u>	<u>Action</u>
Linn	Near Larwood - Oregon Wildlife Comm. (Roaring River Hatchery)	5/30/75	NPDES Issued
Jackson	White City - Permaneer Corp.	5/30/75	NPDES Issued
Clatsop	Astoria - Astoria Plywood Corporation	5/30/75	NPDES Issued
Clatsop	Warrenton - Bioproducts, Inc.	5/30/75	NPDES Issued
Clatsop	Near Knappa - Fish Comm. of Oregon (Big Creek Hatchery)	5/30/75	NPDES Issued
Clackamas	Sandy - Fish Comm. of Oregon (Sandy River Hatchery)	5/30/75	NPDES Issued
Clackamas	Liberal - Molalla Sand & Gravel, Inc.	5/30/75	NPDES Issued
Clatsop	Astoria - Northwest Fur Breeders Cooperative	5/30/75	NPDES Issued
Clatsop	Highway 30 on Gnat Creek - Oregon Wildlife Commission (Gnat Creek Hatchery)	5/30/75	NPDES Issued
Lincoln	Waldport - Eckman Creek Quarries Inc.	5/30/75	NPDES Issued
Deschutes	Bend - Brooks-Scanlon, Inc.	5/30/75	NPDES Issued
Hood River	Hood River - Lage Orchards, Inc.	5/30/75	NPDES Issued
Hood River	Hood River - Moore Orchards, Inc.	5/30/75	NPDES Issued
Douglas	Sutherlin - Georgia-Pacific Corp. (Sutherlin Veneer Mill)	5/30/75	NPDES Issued

Permit Actions Pending (220)

Water Quality Program

May, 1975

Municipal and Industrial Sources (185) NPDES; 35 State)

<u>County</u>	<u>City and Source</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Various	20 State Permits	Various	Various	Not Drafted <u>1/</u>
Various	16 NPDES Appl.	Various	Various	Not Drafted <u>2/</u>
Various	12 State Permits	Various	Various	Pencil Drafts
Various	3 State Permits	Various	Various	Applicant Review
Various	13 NPDES Permits	Various	Various	Applicant Review <u>3/</u>
Various	113 NPDES Permits	Various	Various	Public Notice <u>3/</u>
Various	43 NPDES Permits	Various	Various	EPA Final Review <u>3/</u>

- 1/ Most of these applications are for renewal of permits. Old permit remains in force until renewal is issued.
- 2/ Most of these are new or renewal applications. They will be processed within the statutory deadline.
- 3/ All NPDES permits, except for new applications, should be issued by June 30, 1975. Most applicants are existing sources which are currently regulated by a State permit. The NPDES permit, when issued, will replace the State permit.

Plan Action Completed (13)

Air Quality Program

May, 1975

Direct Stationary Sources (13)

<u>County</u>	<u>City and Project</u>	<u>Date of Action</u>	<u>Action</u>
Jackson	White City - SWF Plywood New cyclone for new truck chip bin.	5/2/75	Approved
Multnomah	Portland - Zidell Exploration Inc. New secondary aluminum smelter.	5/16/75	Approved
Clatsop	Astoria - Layton Funeral Home - New cremation incinerator.	5/19/75	Approved
Multnomah	Portland - Kaiser Permanente Medical Center - New controlled atmosphere incinerator.	5/20/75	Approved
Clackamas	Clackamas - Caffall Bros. Const. Portable rock crusher.	5/20/75	Approved
Clackamas	Lake Oswego - Oregon Portland Cement - New baghouse for #2 cement packing scale.	5/20/75	Approved
Clackamas	Molalla - Molalla Sand and Gravel Co. - Water spray dust control on rock crusher.	5/20/75	Approved
Jackson	White City - SWF Plywood - New baghouse for control of sander dust.	5/21/75	Approved
Multnomah	Portland - Troxel Panel Pro- ducts, Inc. - Two new paint spray booths.	5/23/75	Approved
Union	Elgin - Boise Cascade - New cyclone for conveying green wood chips.	5/23/75	Approved

<u>County</u>	<u>City and Project</u>	<u>Date of Action</u>	<u>Action</u>
Union	Elgin - Boise Cascade - Three new cyclones for conveying green wood chips.	5/23/75	Approved
Clatsop	Astoria - Astoria Plywood Corp. Ducting veneer drier emissions to existing hog fuel boiler.	5/23/75	Approved
Josephine	Grants Pass - Four Ply-Baghouse for control of sanderdust emissions.	5/30/75	Approved

Indirect Sources (0)

Plan Action Pending (23)

Air Quality Program

May, 1975

Direct Stationary Sources (23)

<u>County</u>	<u>City and Project</u>	<u>Date Recd.</u>	<u>Status</u>
Douglas	Roseburg - Raintree Wood Products. New cyclone to control dry sawdust from several saws. <u>1/</u>	4/9/74	Awaiting information to determine if type of material should be collected by baghouse. Expect completion by July 1975.
Multnomah	Portland - Port of Portland Bulk commodity rail receiving and ship loading facility. <u>1/</u>	6/12/74	Awaiting information on controls. Info will be rec'd when Port approves project funding which is expected by June 1975.
Marion	Salem - Boise Cascade New countercurrent pulp washers. <u>1/</u>	7/7/74	B-C investigating available control methods as requested. Expect information by June 15, 1975, and action by June 30, 1975.
Multnomah	Portland - Boeing of Portland - Scrubber to control salt fumes. <u>1/</u>	11/26/74	Reviewing 4/8/75 request by company to renovate existing scrubber. Expect action by June 15, 1975.
Washington	Durham-USA - New sludge incinerator. <u>2/</u>	12/31/74	Reviewing adequacy of add'l information submitted 5/15/75. Expect action by June 30, 1975.

Plan Action Pending - Direct Stationary Sources (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date Received</u>	<u>Status</u>
Klamath	Bly - Weyerhaeuser Co. - New boiler with two (2) multiclones for control. <u>1/</u>	1/6/75	Information sub- mitted 4/21/75. Company notified of deficiency in information sub- mitted on 5/8/75. Action expected within 30 days after receipt of info.
Columbia	Clatskaine - Kaufmann Chemical Corp. - Bulk sulphur rail receiving and ship loading fac- ility. <u>2/</u>	2/25/75	Additional infor- mation requested 4/22/75. Action expected within 15 days after receipt of information.
Multnomah	Portland - Albers Milling New oil-gas boiler. <u>1/</u>	3/3/75	Review completed, drafting approval letter. Expect to be mailed 6/6/75.
Multnomah	Troutdale - Reynolds Metals Co. - New particulate and fluoride baghouse collection system for all aluminum reduction pot lines. <u>1/</u>	3/10/75	Reviewing adequacy of additional info submitted 5/15/75. Expect action by June 30, 1975.
Clackamas	Milwaukie - Milwaukie Plywood - Scrubber control of veneer driers. <u>1/</u>	4/10/75	Review of infor- mation submitted indicated opacity reading of similar existing unit needed. Expect action by 6/10/75.
Union	Elgin - Boise Cascade - New veneer drier. <u>2/</u>	4/16/75	Review completed. Drafting approval letter. Expect to be mailed by 6/9/75.

Plan Action Pending - Direct Stationary Sources (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date Received</u>	<u>Status</u>
Union	Elgin - Boise Cascade - Conversion of veneer drier from gas to steam. <u>1/</u>	4/16/75	Review completed. Drafting approval letter. Expect to be mailed by June 9, 1975.
Grant	John Day - Edward Hines Co. - New hog fuel boiler controlled by wet scrubber. <u>1/</u>	4/18/75	Requested add'l information on 5/30/75. Action expected within 30 days of receipt of information.
Coos	North Bend - Weyerhaeuser - Spray chamber control of veneer drier emissions. <u>1/</u>	4/21/75	Requested Add'l information on 5/8/75. Action expected within 30 days of receipt of information.
Union	La Grande - Boise Cascade New cyclone for conveying wood chips and sawdust. <u>1/</u>	4/21/75	Review indicated add'l opacity reading needed. Expect completion of review by 6/20/75.
Lane	Springfield - Weyerhaeuser - New condensate stripper. <u>1/</u>	4/21/75	Requested add'l information on 5/29/75. Expect completion within 30 days of receiving necessary information.
Lane	Springfield - Weyerhaeuser - New countercurrent pulp drum washer. <u>1/</u>	4/21/75	Requested add'l information on 5/29/75. Expect completion within 30 days of receiving necessary information.

Plan Action Pending - Direct Stationary Sources (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date Received</u>	<u>Status</u>
Lane	Springfield - Weyerhaeuser - Control odorous emissions from the causticizing equipment. <u>1/</u>	4/21/75	Requested add'l information on 5/29/75. Expect completion within 30 days of receipt of necessary information.
Lane	Springfield - Weyerhaeuser - New digester to convert wood chips into pulp. <u>1/</u>	4/21/75	Requested add'l information on 5/29/75. Expect completion within 30 days of receipt of necessary information.
Lane	Springfield - Weyerhaeuser - New concentrator evaporator. <u>1/</u>	4/21/75	Requested add'l information on 5/29/75. Expect completion within 30 days of receipt of necessary information.
Lane	Springfield - Weyerhaeuser - New sawdust conveying and screening system. <u>2/</u>	4/21/75	Requested add'l information on 5/29/75. Expect completion within 30 days of receipt of necessary information.
Multnomah	Portland - Bank Check Supply- New lead remelt furnace. <u>1/</u>	4/30/75	Reviewing adequacy of additional information sub- mitted on 5/23/75. Expect action by June 15, 1975.

Plan Action Pending - Direct Stationary Sources (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date Received</u>	<u>Status</u>
Clackamas	Eagle Creek - Eagle Foundry Co. Two new induction furnaces and associated grinding equipment. <u>1/</u>	5/27/75	Reviewing submitted information. Expect to determine whether add'l information will be needed by June 15, 1975.

Indirect Sources (0)

Footnotes:

- 1/ These plan reviews are for modification or additions to existing facilities. Pending action by the Department is not materially affecting production or operation of the facility.
- 2/ These plan reviews are for new facilities. Production or operation of the facility is dependent on Department action.

Permit Actions Completed (201)

Air Quality Program

May, 1975

Direct Stationary Sources (69)

<u>County</u>	<u>City and Source</u>	<u>Date of Action</u>	<u>Action</u>
Portable	Brookings, ACCO Contractors' Inc. (37-0053) Asphalt Plant	5/5/75	Permit Issued
Portable	Pasco, L. W. Vail Co., Inc. (37-0025) Asphalt Plant	5/5/75	Permit Issued
Portable	Pasco, L. W. Vail Co., Inc. (37-0068) Asphalt Plant	5/5/75	Permit Issued
Portable	Pasco, L. W. Vail Co., Inc. (37-0043) Asphalt Plant	5/5/75	Permit Issued
Portable	Portland, Babler Brothers (37-0021) Asphalt Plant	5/5/75	Permit Issued
Portable	McMinnville, J. C. Compton Co. (37-0044) Asphalt Plant	5/5/75	Permit Issued
Portable	Portland, Babler Brothers, Inc. (37-0094) Asphalt Plant	5/5/75	Permit Issued
Portable	Roseburg, Roseburg Paving Co. (37-0029) Asphalt Plant	5/5/75	Permit Issued
Portable	Walla Walla, Washington Peter Kiewit Sons' Company (37-0095) Asphalt Plant	5/5/75	Permit Issued
Portable	Redmond, Watson Asphalt Paving Co., Inc. (37-0035) Asphalt Plant	5/5/75	Permit Issued
Portable	Salem, State of Oregon Hwy. Dept. (37-0098) Asphalt Plant	5/5/75	Permit Issued
Umatilla	Pendleton, General Foods Corp. (30-0064) Flour Mill	5/27/75	Permit Issued

Direct Stationary Sources (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date of Action</u>	<u>Action</u>
Jackson	Ashland, McGrew Bros. Sawmill Inc., (15-0016) Sawmill	5/27/75	Permit Issued
Wasco	Independence, Mountain Fir Lumber Co. (33-0009) Sawmill	5/27/75	Permit Issued
Wheeler	Spray, Heppner Lumber Company (35-0004) Sawmill	5/28/75	Addendum Issued
Portable	Salem, Oregon State Hwy. Dept. (37-0002) Asphalt Plant	5/27/75	Permit Issued
Coos	Lakeside, Bohemia, Inc. (06-0040) Sawmill	5/27/75	Permit Issued
Coos	Coos Bay, Coos Head Timber Co. (06-0074) Sawmill	5/27/75	Permit Issued
Curry	Brookings, South Coast Lumber Co. (08-0008) Sawmill	5/5/75	Permit Issued
Douglas	Eugene, Bohemia Incorporated (10-0039) Sawmill	5/27/75	Permit Issued
Douglas	Reedsport, Schafer Lumber Co. (10-0069) Sawmill	5/27/75	Permit Issued
Douglas	Glide, Little River Box (10-0021) Sawmill	5/30/75	Addendum Issued
Jackson	White City, SWF Plywood (15-0012) Plywood Plant	5/28/75	Addendum Issued
Jefferson	Metolius, Gourmet Food Products Inc. (16-0017) Boiler	5/27/75	Permit Issued
Josephine	Grants Pass, S.H. & W. Lumber Co. (17-0014) Sawmill	5/27/75	Permit Issued
Umatilla	Pendleton, General Foods Corp. (30-0012) Flour Mill	5/27/75	Permit Issued
Portable	Salem, Oregon State Hwy. Dept. (37-0004) Asphalt Plant	5/5/75	Permit Issued

Direct Stationary Sources (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date of Action</u>	<u>Action</u>
Portable	Medford, Rogue River Paving Co. (37-0028) Asphalt Plant	5/5/75	Permit Issued
Portable	Bend, Deschutes Ready Mix, Sand & Gravel (37-0026) Asphalt Plant	5/5/75	Permit Issued
Multnomah	Portland, Georgia-Pacific Corp. (26-2911) Wood Chip Transfer	5/1/75	Permit Issued
Portable	The Dalles, C. H. Stinson, Inc. (37-0073) Asphalt Plant	5/5/75	Permit Issued
Clackamas	Clackamas, Coe Sand Corp. (03-2629) Sand Drying Plant	5/5/75	Permit Issued
Clackamas	Sunnyside, Kaiser Permanente Medical Care Program (03-2640) Incinerator	5/7/75	Permit Issued
Multnomah	Sauvie Island, B.W. Feed Co., Inc. (26-2607) Animal Feed	5/7/75	Permit Issued
Multnomah	Portland, Resource Recovery Byproducts, Inc. (26-2921) Waste Material Shredder and Salvage Process	5/7/75	Permit Issued
Washington	West Union, West Union Milling (34-2508) Animal Feed	5/7/75	Permit Issued
Multnomah	Sauvie Island, Alder Creek Lumber Co., Inc. (26-2537) Sawmill	5/7/75	Permit Issued
Washington	Forest Grove, Stimson Lumber Co. (34-2066) Lumber Mill	5/5/75	Permit Issued
Multnomah	Portland, Zidell Explorations, Inc. (26-2071) Secondary Aluminum Smelter	5/12/75	Permit Issued
Multnomah	Portland, East Side Plating Works, Inc. (26-2805) Electroplating	5/20/75	Permit Issued

Direct Stationary Sources (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date of Action</u>	<u>Action</u>
Multnomah	Portland, Columbia American Plating Co. (26-2809) Electroplating	5/20/75	Permit Issued
Clackamas	Oregon City, Molalla Sand & Gravel Co. (03-2628) Crusher	5/20/75	Permit Issued
Multnomah	Troutdale, West Coast Alloys Co., Inc. (26-2806) Steel Foundry	5/20/75	Permit Issued
Clackamas	Molalla, Publishers Paper Co. (03-1791) Sawmill	5/20/75	Permit Issued
Clackamas	Molalla, Brazier Forest Products, Inc. (03-2533) Sawmill.	5/20/75	Permit Issued
Multnomah	Portland, Hercules Incorp. (26-1814) Industrial Chemicals	5/20/75	Permit Issued
Multnomah	Portland, Seaport Manufacturing Co. (26-2069) Millwork	5/20/75	Permit Issued
Multnomah	Portland, Linnton Plywood Association (26-2073) Plywood	5/20/75	Permit Issued
Multnomah	Portland, Waybo Inc. (26-1906) Crusher	5/20/75	Permit Issued
Washington	Beaverton, L. H. Cobb - Crushed Rock (34-1925) Crusher	5/20/75	Permit Issued
Multnomah	Portland, B. P. John Furniture (26-1875) Furniture Mfg.	5/20/75	Permit Issued
Washington	Tualatin, City Brass Foundry (34-2536) Brass Foundry	5/20/75	Permit Issued
Multnomah	Portland, Industrial Chrome Plating Co. (26-2793) Electroplating	5/20/75	Permit Issued

Direct Stationary Sources (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date of Action</u>	<u>Action</u>
Clackamas	Milwaukie, Proto Tool Co. (03-2632) Electroplating	5/20/75	Permit Issued
Washington	Durham, Washington County Public Works Department (37-0082) Crusher	5/20/75	Permit Issued
Multnomah	Portland, Pacific Steel Foundry (26-1864) Steel Foundry	5/20/75	Permit Issued
Multnomah	Portland, Ross Island Sand & Gravel (26-1944) Ready-Mix	5/20/75	Permit Issued
Multnomah	Portland, Ross Island Sand & Gravel (26-1946) Ready-Mix	5/20/75	Permit Issued
Clackamas	Clackamas, Nichols Die Casting (03-2638) Aluminum Foundry	5/20/75	Permit Issued
Multnomah	Portland, Union Carbide Corp. (26-1873) Primary Smelter	5/20/75	Permit Issued
Clackamas	Eagle Creek, Eagle Foundry Co. (03-2631) Steel Foundry	5/20/75	Permit Issued
Washington	Forest Grove, Woodfold Marco Mfg. Co. (34-2584) Millwork	5/20/75	Permit Issued
Multnomah	Portland, Ross Island Sand & Gravel Co. (26-1941) Crusher	5/20/75	Permit Issued
Multnomah	Portland, Martin Brothers Container & Timber Products Corp. (26-2544) Fuel Burning Equipment	5/20/75	Permit Issued
Columbia	St. Helens, Kaiser Gypsum Co., Inc. (05-2085) Building Board	5/21/75	Permit Issued
Washington	Forest Grove, Forest Grove Lumber Co. (34-2081) Sawmill	5/21/75	Permit Issued
Tillamook	Tillamook, Tillamook County Creamery Assoc. (29-0004) Cheese Processing	5/22/75	Permit Issued

Direct Stationary Sources (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date of Action</u>	<u>Action</u>
Multnomah	Portland, Portland Willamette Co. (26-2435) Brass Foundry	5/22/75	Permit Issued
Columbia	Clatskanie, Beaver Lumber Co. of Clatskanie, Inc. (05-1773) Sawmill	5/27/75	Permit Issued

Indirect Sources (0)

Fuel Burning (Boilers) (142)

<u>County</u>	<u>City and Source</u>	<u>Date of Action</u>	<u>Action</u>
Various	Various	5/75	Permits Issued

Permit Actions Pending (408)

Air Quality Program

May 1975

(New Sources - - - - - 18- - - - - See listing below)
(Existing Sources- - - - - -313- - - - - See footnote 1/)
(Fuel Burning (Boilers)- - - - - 77- - - - - See footnote 2/)

Direct Stationary Sources (401)

<u>County</u>	<u>City and Project</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Clatsop	Astoria - Layton Funeral Home - New cremation incinerator.	2/28/74	5/19/75	Proposed permit mailed 5/19/75. Expect to issue permit by 6/30/75.
Multnomah	Portland - Oregon Steel Mills, River-gate - New pellet metallizing furnace.	7/18/74	3/28/75	Expect to issue permit by 6/9/75.
Multnomah	Portland - Pennwalt Corp. - Expansion of chlorine-caustic soda manufacturing.	11/4/74	4/17/75	Expect to issue permit by 6/9/75.
Washington	Durhan-USA - New sludge incinerator, lime recalciner and steam boilers.	12/21/74		(See plan action pending) Permit to be drafted within 15 days of plan approval. Expected by 6/30/75.
Clackamas	Clackamas - Caffal Bros. Construction Portable rock crusher.	1/20/75	4/2/75	Issued proposed permit 4/2/75. Expect to issue final permit by June 10, 1975.
Columbia	Clatskanie-Kaufman Chemical Corp. - Bulk sulfur rail receiving and ship loading facility.	2/25/75		(See plan action pending) Permit to be drafted within 15 days of plan approval.

Direct Stationary Sources (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Umatilla	Umatilla - Alumax Pacific Corp. - New aluminum reduction plant.	4/18/75		Final information submitted 5/28/75. Expect review to be completed and determination made whether to issue or deny permit by June 13, 1975.
Portable	Yakima - Superior Asphalt & Concrete Company	3/75		Permit to be issued by 6/30/75.
Portable	Allied Paving, Asphalt Plant	4/21/75		Permit to be issued by 6/30/75.
Douglas	Roseburg - Dan M. Parker - Rock crusher	4/17/75		Permit to be issued by 6/30/75.
Douglas	Roseburg - Umpqua Dairy Products	4/15/75		Permit to be issued by 6/30/75.

Indirect Sources (7)

<u>County</u>	<u>City and Project</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Clackamas	Milwaukie Area - Clackamas Town Center 6000+ space shopping center.	7/19/74		Environmental Impact Statement received, no further review by Department necessary until land use is approved by local planning commission.

Indirect Sources (Continued)

<u>County</u>	<u>City and Project</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Multnomah	Rockwood Area - Mt. Hood Mall - 6000+ space shopping center.	7/19/75		Additional information requested environmental assessment. No further review by Dept. necessary until land use is approved by local planning Comm.
Clackamas	Oak Grove Area - Stuart Anderson's Black Angus 115 space parking facility.	4/14/75		Transit information received 5/8/75. No further review until land use is approved by local planning Comm.
Jackson	Central Point Area - Jackson County Exhibition Center - 1500+ parking facility for fairgrounds.	4/14/75		Requested environmental assessment, carbon monoxide, traffic, noise impact, 4/16/75.
Clackamas	Clackamas - Clackamas Industrial Complex 68+ space parking facility.	4/21/75		Requested add'l information 5/5/75. Including revision of size of facility to no more than 44 spaces.
Clackamas	Milwaukie-Waverly Greens - 145 space residential parking facility.	4/23/75		Requested add'l information, transit incentive and traffic controls, 5/5/75.
Multnomah	Portland - Culver Brown Apartments- 63 space parking facility.	4/27/75		Anticipate request for additional info, transit incentive program 6/3/75.

Footnotes:

- 1/ These permit actions are of existing sources that are operating on automatic extensions of existing permits or on temporary permits. We will be unable to meet the previous estimated completion date of June 30, 1975, on these existing source permits actions, and it is now anticipated that the majority of these permit actions will be completed prior to August 30, 1975, approximately 25% in June, 45% in July and 30% in August.
- 2/ All fuel burning (boiler) permits are final typed and are being processed for approval. The majority of these permits are expected to be issued in June, 1975. These permits are of existing sources and do not hinder their operation (142 fuel burning permits were issued in May 1975).

Plan Actions Completed (8)

Land Quality Program

May 1975

General Refuse (Garbage) Projects (3)

<u>County</u>	<u>City and Site</u>	<u>Date of Action</u>	<u>Action</u>
Multnomah	Resources Recovery Byproducts Existing site-Operational Plan	5/9/75	Provisional Approval
Douglas	Superior Lumber Company - Existing Industrial Site-Operational Plan	5/13/75	Approved
Marion	Macleay Landfill Closure Plan	5/30/75	Approved

Demolition Solid Waste Disposal Projects (0)

Industrial Solid Waste Disposal Projects (0)

Sludge Disposal Projects (0)

Planning Projects (5)

<u>County</u>	<u>Project</u>	<u>Date of Action</u>	<u>Action</u>
Union	Solid Waste Management Implementation plan	5/5/75	Approved with comments
Jackson	Solid Waste Management Implementation Plan	5/6/75	Approved with comments
Crook-Jefferson-Deschutes	Central Oregon Intergovernmental Council Solid Waste Management Implementation Plan.	5/9/75	Approved with comments
Josephine	Solid Waste Management Implementation Plan	5/13/75	Approved with comments
Port of Umpqua	Utilization of Solid Waste as fuel of South Coast Area	5/13/75	Approved with comments

Plan Actions Pending (9)

Land Quality Program

May 1975

General Refuse (Garbage) Projects (7)

<u>County</u>	<u>City and Site</u>	<u>Date Received</u>	<u>Status</u>
Deschutes	Southwest Landfill	10/10/74	In process of approval
Umatilla	Pendleton Landfill	10/15/74	Final grades requested
Douglas	Myrtle Creek Transfer Station	1/6/75	Awaiting revised plan
Baker	Baker Sanitary Landfill	1/3/75	Inspection needed
Douglas	Reedsport Landfill	2/18/75	Awaiting revised plans
Douglas	Canyonville Landfill	3/18/75	Awaiting revised plans
Klamath	Chiloquin Solid Waste Disposal Site	5/12/75	Awaiting USFS approval

Demolition Solid Waste Disposal Projects (0)

Industrial Solid Waste Disposal Projects (2)

<u>County</u>	<u>City and Site</u>	<u>Date Received</u>	<u>Action</u>
Linn	Western Kraft Corp.	4/24/75	Under review. Review completion projection 6/75.
Deschutes	Deschutes Valley Disposal Site	5/1/75	Under review. Review completion

Sludge Disposal Projects (0)

Permit Actions Completed (7)

Land Quality Program

May 1975

General Refuse (Garbage) Facilities (5)

<u>County</u>	<u>City and Site</u>	<u>Date of Action</u>	<u>Action</u>
Curry	Port Orford Disposal Site Existing Facility	5/20/75	Permit Issued
Marion	Brown's Island Landfill Existing Facility (Salem)	5/14/75	Permit Amended
Multnomah	Resource Recovery Byproducts Existing Transfer/Processing Site (Portland)	5/29/75	Permit Amended
Yamhill	Whiteson Sanitary Landfill Existing Facility	5/1/75	Permit Amended
Coos	Weyerhaeuser, Allegany	5/30/75	Application Withdrawn

Demolition Solid Waste Disposal Facilities (0)

Industrial Solid Waste Disposal Facilities (2)

<u>County</u>	<u>City and Site</u>	<u>Date of Action</u>	<u>Action</u>
Douglas	Superior Lumber Company Existing Facility (Glendale)	5/22/75	Permit Issued
Hood River	Cascade Locks Lumber Company New Facility	5/15/75	Letter authori- zation issued.

Sludge Disposal Facilities (0)

Permit Actions Pending (154)

Land Quality Program

May 1975

General Refuse (Garbage) Facilities (108)

<u>County</u>	<u>City and Site</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Benton	Coffin Butte Landfill	5/13/75	5/13/75	Renewal. Permit expires 6/30/75. Regional staff to draft new permit June 1975.
Clackamas	Rossman's Landfill	4/21/75	4/21/75	Renewal. Permit expires 6/30/75. Regional staff to draft new permit June 1975.
Columbia	Santosh Landfill	5/5/75	5/5/75	Renewal. Permit expires 6/30/75. Regional staff to draft new permit June 1975.
Coos	Fairview Disposal Site	6/2/72	6/16/72	Under temporary permit. Proposed regular permit mailed 4/1/75. County requested additional review time.
Curry	Brookings Landfill	5/16/72	6/16/72	Under temporary permit. Proposed regular permit mailed 4/16/75. County requested additional review time.
Curry	Nesika Beach Landfill	5/16/72	6/16/72	Under temporary permit. Proposed regular permit mailed 4/16/75. County requested additional review time.

General Refuse (Garbage) Facilities (Continued)

<u>County</u>	<u>City and Site</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Deschutes	Brothers Landfill	6/13/72	4/22/75	Under temporary permit. Proposed regular permit drafted. To be issued June 1975.
Deschutes	Fryrear Landfill	6/2/72	5/6/75	Under temporary permit. Proposed regular permit drafted. To be issued June 1975.
Deschutes	McGrath Landfill	6/2/72	4/23/75	Under temporary permit. Proposed regular permit mailed 5/12/75.
Deschutes	Negus Landfill	6/2/72	4/23/75	Under temporary permit. Proposed regular permit drafted. To be issued June 1975.
Douglas	Camas Valley Landfill	6/12/72	2/28/75	Under temporary permit. Regional staff to draft regular permit June 1975.
Gilliam	Arlington Landfill	5/15/72	11/14/74	Under temporary permit. Proposed regular permit mailed 5/30/75.
Jackson	Dry Creek Landfill	5/7/75	5/7/75	Renewal. Permit expires 7/1/75. Proposed new permit drafted. To be issued 6/75.
Jackson	Prospect	3/7/75	4/21/75	Renewal. Permit expired 4/1/75. Proposed permit mailed 5/75.

General Refuse (Garbage) Facilities (Continued)

<u>County</u>	<u>City and Site</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Lane	Florence Landfill	5/12/75	5/12/75	Renewal. Permit expires 6/30/75. Regional staff to draft new permit June 1975.
Lane	Franklin Landfill	4/2/75	4/2/75	Renewal. Permit expired 3/31/75. Proposed new permit mailed 5/19/75.
Lane	Veneta Landfill	5/12/75	5/12/75	Renewal. Permit expires 6/30/75. Regional staff to draft new permit June 1975.
Umatilla	Umatilla Tribal Landfill	5/15/75	5/15/75	Renewal. Permit expired 5/15/75. Regional staff to draft new permit June 1975.

1/ 90 other sites with temporary permits (incomplete applications)

Most awaiting completion of regional solid waste management plans. Regional staff to draft permits prior to 12/75.

1/ We have previously indicated that permits would be drafted by 6/30/75. However, several regional plans have not yet been completed. The regions are now actively drafting Solid Waste Disposal Permits and the remaining temporary permits will be converted to regular permits prior to 12/75.

Demolition Solid Waste Disposal Facilities (2)

<u>County</u>	<u>City and Site</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Marion	Salem Airport Landfill	6/20/72	8/14/74	Under temporary permit. Regional staff to draft regular permit by July 1975.
Polk	Fowler Demolition	8/8/72	8/14/74	Under temporary permit. Regional staff to draft regular permit by June 1975.

Industrial Solid Waste Disposal Facilities (46)

<u>County</u>	<u>City and Site</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Clatsop	Crown Zellerbach Wauna	5/2/75	5/2/75	Renewal. Permit expired 5/30/75. New permit drafted. To be issued 6/75.
Columbia	Crown Zellerbach	4/22/75	4/22/75	Renewal. Permit expires 6/30/75. Regional staff to draft new permit June 1975.
Coos	Weyerhaeuser, Dellwood Shop	6/21/73	4/12/74	Existing site. Proposed regular permit mailed 5/30/75.
Coos	Weyerhaeuser, Horse Flats	6/21/73	4/12/74	Existing site. Proposed regular permit mailed 5/30/75.

Industrial Solid Waste Disposal Facilities (Continued)

<u>County</u>	<u>City and Site</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Curry	Rogge Lumber Co.	11/18/74	11/18/74	Renewal. Permit expired 12/31/74. Proposed new permit mailed 5/29/75.
Douglas	Superior Prairie Lumber	10/2/74	11/12/74	Proposed new facility. Will not be used until summer. Proposed permit drafted. To be mailed 6/75.
Douglas	Round Prairie	10/2/74	11/12/74	Proposed new facility will not be used until summer. Regional staff to mail proposed permit 7/75.
Lane	Pope & Talbot	5/12/74	5/14/75	Renewal. Permit expires 6/30/75. Regional staff to draft new permit June 1975.
Benton	Hobin Lumber Co.	6/21/73	6/29/73	Under temporary permit. Expires 7/1/75. Regional staff to draft regular permit by June 30, 1975.
Benton	Paul Barber Hardwood	12/19/73	5/20/74	" " "
Douglas	Reedsport Mill	8/8/73	8/8/73	" " "
Josephine	Josephine Co. Industrial Sludge Disposal Site	7/18/73	7/18/73	" " "
Josephine	Rough & Ready Lumber	6/22/73	6/22/73	" " "

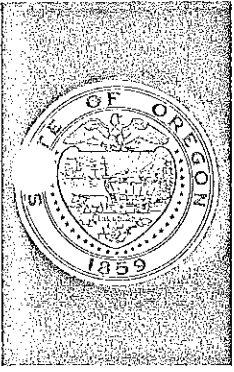
Industrial Solid Waste Disposal Facilities (Continued)

<u>County</u>	<u>City and Site</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Lane	Georgia-Pacific, Irving Road, Eugene	6/22/73	6/22/73	Under temporary permit. Expires 7/1/75. Regional staff to draft regular permit by June 30, 1975.
Lane	Georgia-Pacific Springfield	6/28/73	9/7/73	" " "
Lane	Hines Lumber	6/29/73	5/30/74	" " "
Marion	Green Veneer	6/1/73	7/3/73	" " "
Multnomah	Pacific Carbide	6/25/73	6/25/73	" " "
<u>1/</u> Benton	Willamette Industries	7/3/73	7/3/73	Under temporary letter authorization Regional staff to draft regular letter authorization or permit prior to 12/75.
<u>1/</u> Coos	Coos Bay Plywood Millington Flats	6/20/73	7/2/73	" " "
<u>1/</u> Curry	U. S. Plywood, Gold Beach	7/13/73	7/13/73	" " "
<u>1/</u> Douglas	D & D Lumber	6/29/73	6/29/73	" " "
<u>1/</u> Douglas	U. S. Plywood Roseburg	7/13/73	7/13/73	" " "
<u>1/</u> Hood River	Champion International	7/13/73	7/13/73	" " "
<u>1/</u> Jackson	Boise Cascade, Medford	7/2/73	7/2/73	" " "
<u>1/</u> Lincoln	Publishers Paper, Toledo	9/28/73	9/28/73	" " "

Industrial Solid Waste Disposal Facilities (Continued)

<u>County</u>	<u>City and Site</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
<u>1/</u> Linn	Bauman Lumber	6/19/73	6/19/73	Under temporary letter authorization. Regional staff to draft regular letter authorization or permit prior to 12/75.
<u>1/</u> Linn	Cedar Lumber	7/1/73	7/1/73	" " "
<u>1/</u> Linn	Dean Morris Lumber	6/28/73	6/28/73	" " "
<u>1/</u> Linn	Willamette Industries Foster	7/5/73	7/5/73	" " "
Baker	Oregon-Portland Cement Co.	6/1/73	- - -	Existing site, requested letter authorization. Regional staff to respond by 6/30/75.
Jackson	Jackson County, Park	1/12/74	- - -	" " "
Coos	Coos Head Timber	6/21/73	6/21/73	Existing site. Regional staff to investigate.
Coos	International Paper	12/13/74	1/213/74	" " "
Coos	Roseburg Lumber Coquille	7/18/73	7/18/73	" " "
Coos	Westbrook Pole and Piling	5/7/74	5/7/74	" " "
Douglas	L and H Lumber	6/20/74	6/20/74	" " "
Douglas	Roseburg Lumber Co. 5 mill sites	7/9/73	6/3/74	" " " 5 applications
Lincoln	Georgia-Pacific, Toledo	7/2/73	3/14/74	" " "
Linn	Willamette Industries Sweet Home	7/5/73	12/28/73	" " "

1/ Permit applications indicated that these were very low volume disposal sites with minimal environmental impact. Regulations provide for letter authorizations in lieu of permits in such cases.



ENVIRONMENTAL QUALITY COMMISSION

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The Dalles

KESSLER R. CANNON
Director

MEMORANDUM

To: Environmental Quality
From: Director
Subject: Agenda Item C, June 27, 1975, EQC Meeting
Tax Credit Applications

Attached are review reports on eleven (11) Tax Credit Applications. These applications and the recommendations of the Director are summarized on the attached table.

KESSLER R. CANNON

AHE

June 19, 1975

Attachments

Tax Credit Summary
Tax Credit Review Reports (11)



Contains
Recycled
Materials

TAX CREDIT APPLICATIONS

<u>Applicant/Plant Location</u>	<u>Appl. No.</u>	<u>Facility</u>	<u>Claimed Cost</u>	<u>% Allocable to Pollution Control</u>	<u>Director's Recommendation</u>
Continental Can Company, Inc. Metal Operations Lombard Street, Portland	T-644	Three Fume incinerators for fume emissions control from ovens used to dry decorated cans	\$320,942.00	80% or more	Issue
Continental Can Company, Inc. Metal Operations Lombard Street, Portland	T-645	Fume incinerator for fume emissions control from enamel baking ovens	31,369.00	80% or more	Issue
BRM Company <u>Industrial Wastes</u> Silverton	T-646R	Equipment which densifies, transports, and stores solid waste and straw prior to marketing	78,800.00	100%	Issue
Boise Cascade Corporation Paper Group St. Helens	T-649	No. 3 recovery furnace system	12,051,771.61	80% or more	Issue
Willamina Lumber Company Willamina	T-650	Conversion of log ponds into dry land storage	831,508.00	80% or more	Issue
Boise Cascade Corporation Paper Division Commercial Street, Salem	T-651R	Modifications to digester pump-out system at pulp mill	38,669.34	80% or more	Issue
Weyerhaeuser Company Wood Products Manufacturing Waterfront, North Bend	T-658	Wood particle collection system at Versabord (particleboard) plant	147,606.00	40% or more, but less than 60%	Issue
GHSM, Incorporated (Girod's Hilltop Super Market) First Street, Mill City	T-660	Paper baler consisting of auto cycle baler, electrical and control equipment, and lean-to	5,572.01	100%	Issue
Weyerhaeuser Company Paperboard Manufacturing 42 Street, Springfield	T-661	Particulate emissions control system from smelt dissolving tank on No. 3 recovery furnace	108,482.00	80% or more	Issue
Ostrander Construction Co. Fremont Sawmill Division Paisley	T-662	Modifications to wigwam waste burner	40,126.00	80% or more	Issue

TAX CREDIT APPLICATIONS - June 27, 1975 EQC Meeting
Page 2

<u>Applicant/Plant Location</u>	<u>Appl. No.</u>	<u>Facility</u>	<u>Claimed Cost</u>	<u>% Allocable to Pollution Control</u>	<u>Director's Recommendation</u>
Timber Products Company McAndrews Road, Medford	T-663	Three Scrubbers consisting of rotoclones on particle dryers #1 & #2, and core cyclone & fine cyclone; pump blowers; electrical supplies; steel; & miscellaneous items	\$59,015.94	80% or more	Issue

Proposed June 27, 1975 TOTALS

Air Quality	\$12,797,981.89
Land Quality	84,372.01
Water Quality	<u>831,508.00</u>
TOTAL	\$13,713,861.90

1975 Calendar Year TOTALS
(excludes June Proposed figures)

Air Quality	\$1,832,372.19
Land Quality	4,521,276.00
Water Quality	<u>11,516,450.98</u>
TOTAL	\$17,870,099.17

TOTAL Certificates Awarded since Inception
(excludes Proposed Certificates)

Air Quality	\$51,404,122.28
Land Quality	9,503,925.00
Water Quality	<u>54,153,387.51</u>
TOTAL	\$115,061,424.79

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Continental Can Company, Inc.
Metal Operations
10200 N. Lombard St.
Portland, OR 97203

The applicant owns and operates a metal can production facility located in Portland, Oregon.

2. Description of Claimed Facility

The facilities described in this application are three (3) fume incinerators which burn the fumes emitted from the ovens that are used to dry decorated cans.

Facility cost: \$320,942.00 (Accountant's certification was provided).

The facility was placed in operation in August, 1972. Certification is claimed under the 1969 Act with 100% allocated to pollution control.

3. Evaluation of Application

The company was required to install the fume incinerators by the former Columbia-Willamette Air Pollution Authority to control odor and visible emissions. Prior to the installation of these facilities emissions from the ovens were uncontrolled.

The plans and specifications for the three incinerators were reviewed and approved by the Columbia-Willamette Air Pollution Authority. The Department has inspected the claimed facilities and has found that they are operating satisfactorily. Fume incinerators are considered to be the highest and best practicable control of emissions from this type of oven. There is no economic return on this installation. Therefore, it is concluded that the facilities were installed and are operated for pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$320,942.00 with 80% or more allocated to pollution control be issued for the facilities claimed in Tax Credit Application No. T-644.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Continental Can Company, Inc.
Metal Operations
10200 N. Lombard Street
Portland, Oregon 97203

The applicant owns and operates a metal can production facility in Portland, Oregon.

2. Description of Claimed Facility

The facility described in this application is a fume incinerator which burns the fumes emitted from the enamel baking ovens.

Facility cost: \$31,369.00 (Accountant's certificate was provided).

The facility was placed in operation in June, 1973. Certification is claimed under the 1969 Act with 100% allocable to pollution control.

3. Evaluation of Application

The company was required to install the fume incinerator by the former Columbia-Willamette Air Pollution Authority to control odor and visible emissions. Prior to the installation of this facility, emissions from the oven were uncontrolled.

The plans and specifications for the incinerator were reviewed and approved by the Columbia-Willamette Air Pollution Authority. The Department has inspected the claimed facility and has found that it is operating satisfactorily. A fume incinerator is considered to be the highest and best practicable control of emissions from this type of oven. There is no economic return on this installation. Therefore, it is concluded that the facilities were installed and are operated for pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$31,369.00 with 80% or more allocated to pollution control be issued for the facilities claimed in Tax Credit Application No. T-645.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

BRM Company
Industrial Wastes
Route 3, Box 36
Silverton, Oregon 97381

The applicant owns and operates grass seed and cereal grain straw storage, baling, transportation and marketing facilities near Corvallis, Linn County.

2. Description of Claimed Facility

The claimed facility consists of:

- a. 90' x 100' shed on 3.3 acres of land.
- b. Steffen bale accumulator.
- c. New Idea side delivery rake.
- d. Freeman hi-density baler (230w-23100-SOB).
- e. GMC truck and Steffen bale loader (DBA 4003F20839).
- f. Mack Truck and FB 1785 trailer (T 239968ST1259).
- g. Electrical and miscellaneous installations.

The claimed facility was placed in operation on July 1, 1973.

Facility cost: \$78,800.00 (Accountants certification was attached to application.)

3. Evaluation of Application

For the present, grass seed and cereal grain straw is generated in the fields after harvest as solid waste during July, August and September each year and is normally open burned. As an alternative, to this practice, the applicant densifies straw in grower's fields in the form of round bales and hi-density bales, which are marketed directly or transported to the straw storage facility and marketed later.

Most grass seed and cereal grain farmers are not able to prepare and market significant quantities of straw because of other farming priorities, elusive straw markets and high cost of special equipment needed in these

MS:sa

June 17, 1975

operations. The applicant provides more intensive effort to prepare and market straw which the farmer is not doing. The claimed facilities have the capacity to handle 1500 tons of straw which would otherwise be solid waste and open burned. The Department concludes that the claimed facility meets the requirements of ORS 468.165 (1)(b) and is therefore eligible for certification.

Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be issued pursuant to ORS 468.165 (1)(b) for the claimed facility in application T 646 R, such certificate to bear the actual cost of \$78,800.00.

MS:sa

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Boise Cascade Corporation
Paper Group
Kaster Road
St. Helens, Oregon 97051

The applicant owns and operates a bleached Kraft pulp and paper mill in St. Helens. This mill has the rated capacity to produce 900 tons of bleached Kraft pulp per day.

2. Description of Facility

The facility claimed in this application is described as:

The number 3 recovery furnace system which includes the following:

- a. Low-odor recovery furnace.
- b. An electrostatic precipitator.
- c. Five black liquor evaporators.
- d. Two black liquor concentrators.
- e. Smelt dissolving tank and associated scrubber.
- f. Associated auxiliary equipment (buildings, piping, tanks, pumps, fans, controls and electrical equipment).

Facility cost: \$12,051,771.61 (accountant's certification was provided).

This facility was placed in operation on January 31, 1975. Certification is claimed under the 1969 Act with 100% allocable to pollution control.

3. Evaluation of Application

This facility was installed in response to the (then proposed) 1973 Kraft Pulp Mill Emission Regulation which currently requires that recovery furnace Total Reduced Sulfur emissions not exceed 10 ppm as an average of all recovery furnaces after July 1, 1975. The claimed facility replaced the number one recovery furnace which could not be economically modified to meet the regulatory limits. The number one furnace has been removed from service.

The number 3 recovery furnace also enabled the company to reduce the firing rate of the number 2 recovery furnace which had been overloaded and thus reduce emissions from it.

The installation of the new recovery furnace increased the total plant recovery production from 866 air dried tons of bleached pulp per day to a rated capacity of 1015 air dried tons of bleached pulp per day. This is an increase of 17 percent. It is therefore the Department's conclusion that the percent allocable to pollution control should be 83 percent.

The plans and specifications were reviewed by the Department and the proposed installation was approved by the Environmental Quality Commission in the October 25, 1972 meeting. The Department has inspected the facility and has found that it was operating satisfactorily. Total Reduced Sulfur emissions are currently below 5 ppm and particulate emissions below 4 pounds per air dried ton of pulp produced. (Meets new recovery furnace emission limits required by current rule.)

The electrostatic precipitator installed on the new furnace has a particulate removal efficiency of 99.6 percent, whereas the precipitator on the old furnace was designed for a particulate removal efficiency of 96 percent. (a 90% reduction in particulate emissions).

The additional chemicals recovered by this increase in precipitator efficiency and the value of the additional steam provided by the furnace are concluded not to pay for the new installation over the 15.2 year amortization period. It is therefore concluded that the claimed facility, the No. 4 recovery furnace system, was installed and is operated for pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$12,051,771.61 be issued for the facility claimed in Tax Credit Application No. T-649 with more than 80 percent allocated to pollution control.

CRC:mh

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Willamina Lumber Company
901 Terminal Sales Bldg.
Portland, Oregon 97205

The applicant owns and operates a lumber mill on Willamina Creek Road, at Willamina, Oregon, Yamhill County.

2. Description of Claimed Facility

The claimed facility consists of conversion of log ponds into dry land storage. Log pond seepage and log debris and silt to Willamina Creek were eliminated. The following items were involved:

- a. Log Stacker KW80 Dart
- b. Hoist Grappler - MAR
- c. Wheel Loader, Caterpillar 966
- d. Log Grappler, Prentice
- e. Log Loader, Bucyrus Erie
- f. Construct Log Deck, including Machinery Installation
- g. Pond Fill (Rock & Gravel)
- h. Purchase of property from Willamina Clay Products Co. for sanitary land fill
- i. Removal of existing log conveyor over Willamina Creek

The claimed facility was completed and placed in operation in September 1974.

Facility Cost: \$831,508 (Accountant's certification was attached to the application.)

3. Evaluation of Application

Installation of the claimed facility was completed at the request of the Department of Environmental Quality. The work and equipment described in this tax application removes virtually all pollutants from Willamina Creek. The log storage deck area is not adjacent to the mill, thus logs must be loaded and truck hauled to the mill.

There is no income derived from the installation of these facilities and operational costs of the dry log storage are greater than the log pond operation.

The facility is performing as designed.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be issued for the facilities claimed in Application T-650, such certificate to bear the actual cost of \$831,508 with 80% or more allocable to pollution control.

WDL:mr

June 9, 1975

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Boise Cascade Corp.
Paper Division
P. O. Box 2089
Salem, Oregon 97308

The applicant owns and operates a pulp wood paper mill at 315 Commercial Street S.E. in downtown Salem, Oregon.

2. Description of Facility

The facility claimed in this application is described as modifications to the digester pumpout system in the Salem pulp mill consisting of:

1. Insulating of the digester pumpout stock tank.
2. Adding a new cyclone between the digesters and the recycle acid system.
3. Strengthening of stock pumpout tank.
4. Strainer for digesters.
5. Valves.
6. Low pressure relief parts.
7. Labor, engineering, parts, miscellaneous.

The facility was completed and put into operation on February 28, 1974.

Certification is claimed under the 1969 Act and the percentage claimed for pollution control is 100%.

Facility cost: \$38,669.34 (accountant's cost certification was provided).

3. Evaluation of Application

This facility was installed in response to the 1971 DEQ Sulfite Pulp Mill Emission Regulation. The Department approved the whole project, of which this tax credit is a part.

During pumpout of digesters, odorous gas is generated. The claimed facility consists of a miscellaneous list of improvements, modifications, and final payments on a project (for which previous payments were granted tax credit T-539) all of which increase the reliability of the odorous gas collection system. The claimed items each improve the function of the digester pumpout system and lessen the likelihood of upsets, surges, and other unplanned emissions of malodorous gases.

It is concluded that the claimed facilities were constructed substantially for air pollution control and 100% credit can be given.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$38,669.34 with 80% or more of the cost allocated to pollution control be issued for the facility claimed in Tax Application T-651 R.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Weyerhaeuser Company
Wood Products Manufacturing
PO Box 389
North Bend, OR 97459

The applicant operates a sawmill, planing mill, plywood, and particleboard plant at North Bend in Coos County, Oregon.

2. Description of Facility

The facility claimed in this application is described as a wood particle collection system at the Versabord (particleboard) plant and consists of:

1. Two Clarke baghouses capturing wood fines formerly emitted to the atmosphere (cost \$71,024).
2. A 30-unit Clarke flo-matic bin for accumulating that portion of wood fines to be burned in the drum dryer (\$59,897).
3. Electrical Power wiring and controls (\$8,402).
4. Engineering (\$8,283).

The facility was put into operation on March 25, 1974 and was completed on December 1, 1974.

Certification is claimed under the 1973 act and the percentage claimed for pollution control is 100%.

Facility cost: \$147,606 (accountant's cost certification was provided).

3. Evaluation of Application

The two baghouses of the claimed facility were installed to enable Weyerhaeuser to meet the emission rate required by the Department in Section C condition 4 of their Air Contaminant Discharge Permit. The 30-unit storage bin allows diversion of the captured wood fines from the normal pipe going to the sanderdust burner on boiler No. 3 to this bin which accumulates fuel for the plant's rotary drum particle dryer.

The value of the fines collected by the baghouses is more than offset by the electricity and maintenance costs incurred.

It is concluded that while the two baghouses were installed for air pollution control, the bin is part of the fuel system for the plant's dryer and was not installed for air pollution control. The power and engineering costs for the claimed facility are not divisible into baghouse and bin portions and can be accepted as substantially (over half) for pollution control. Therefore, with \$59,897 disallowed, \$87,709 or 59.4% of the claimed cost can be allocated for pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$147,606 with 40% or more but less than 60% of the cost allocated to pollution control be issued for the facility claimed in Tax Application T-658.

PBB:mh

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

GHSM, Incorporated (Girod's Hilltop Super Market)
1090 Third Street
Mill City, Oregon 97360

The applicant owns and operates a paper baler at Mill City, Linn County.

2. Description of Claimed Facilities

The claimed facility consists of:

- a. One Prentice Auto Cycle Baler (Serial #A-540-25).
- b. Electrical and control equipment.
- c. Lean-to.

The claimed facility was placed in operation on March 11, 1975.

Facility cost: \$5,572.01 (accountant's certification was attached to application)

3. Evaluation of Application

The waste paper generated as a result of daily supermarket operations is baled for recycling instead of disposal at a local landfill. The bales of waste paper are transported by United Grocers, Inc., to their Portland warehouse. Before installation of the baler, waste paper generated by daily supermarket operations was illegally burned in a 55 gallon drum adjacent to the supermarket. The Mid-Willamette Valley Air Pollution Authority investigated on February 24, 1975 and forced termination of burning. The applicant had a choice of paying the garbage collector to dispose of the waste in a landfill or of joining the waste paper recycling program of United Grocers, Inc. who serviced the supermarket. The recycling alternative was chosen and the baler is required to facilitate United Grocers' pickup program. Waste Paper market conditions do not presently allow a return on investment. The Department concludes that the claimed facility meets the requirements of ORS 468.165(1)(b) and is therefore eligible for certification.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be issued pursuant to ORS 468.165(1)(b) for the claimed facilities in Application T-660, such certificate to bear the actual cost of \$5,572.01.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Weyerhaeuser Company
Paperboard Manufacturing
PO Box 275
Springfield, OR 97477

The applicant operates an integrated wood products mill at Springfield, Oregon, including a pulping plant which is used in making paperboard.

2. Description of Facility

The facility claimed in this application controls particulate emissions to the atmosphere from the smelt dissolving tank on #3 recovery furnace and consists of:

1. Two Joy scrubbers, Type D, Turbulaire, size 24, one on each vent stack.
2. Two fans, New York Blower, Type HDE, size 452.
3. Connecting ductwork and piping.

The facility was completed on February 8, 1974 and put into operation on February 19, 1974.

Certification is claimed under the 1973 Act as amended in 1974 and the percentage claimed for pollution control is 100%.

Facility costs: \$108,482.00 (Accountant's certification was provided).

3. Evaluation of Application

The Company was required to reduce particulate emissions (mostly sodium carbonate and sodium sulphide) from the vents to meet OAR CH 340, Section 25-165(2)(c). The "York" demister pads formerly used could not comply with the standard of 0.5 lb/ADT for all the vents. On 10/1/73 the Department approved the Company's plan to use scrubbers. On 3/21/74 the Department approved the test demonstrating the scrubbers' compliance as reported by the Company's 3/14/74 letter.

The scrubbers recover an additional \$1700 worth of chemicals from the vent gas being discharged to the outside air; but this value is more than offset by the \$2800 utility and \$3200 maintenance costs annually incurred by the new scrubbers.

It is concluded that the scrubbers were added for pollution control alone, and are allowing the #3 recovery furnace's smelt tank vents to be operated within the Department's emission standard.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$108,482.00 with 80% or more of the cost allocated to pollution control be issued for the facility claimed in Tax Application T-661.

PBB:mh

Date June 12, 1975

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Ostrander Construction Company
Fremont Sawmill Division
Box 1340
Lakeview, Oregon 97630

The applicant owns and operates a sawmill at Paisley, Oregon.

2. Description of Facility

The facility claimed in this application is a group of modifications to a wigwam waste burner. The modifications consist of:

1. Underfire air system
2. Overfire fans
3. Ignitors
4. Damper doors
5. Electrical Control Panel with temperature recorder.

The facility was completed and placed into operation on September 25, 1974.

Certification is claimed under the 1969 Act and the percentage claimed for pollution control is 100%.

Facility costs: \$40,126.00 (Accountant's certification was provided).

3. Evaluation of Application

The applicant was required by Condition 6 of his Air Contaminant Discharge Permit to modify the burner. The plan to modify it was reviewed and approved by the Department. The completed project was demonstrated to the Department and received approval on September 30, 1974.

The modification allows the burner to burn clearly at less than 20% opacity and will make a significant decrease in the smoke and fallout entering the town of Paisley which is downwind from the burner.

It is concluded that there is no economic return from the burner modification and that it was made solely for air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$40,126.00 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application Number T-662.

Date June 12, 1975

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Timber Products Company
Post Office Box 1669
Medford, Oregon 97501

The applicant operates a plywood and particleboard plant in Medford, Oregon.

2. Description of Facility

The facility claimed in this application consists of three scrubbers and includes:

1. AAF type R rotoclone size 8 on particle dryer #1,
2. AAF type R rotoclone size 5 on particle dryer #2,
3. AAF type R rotoclone size 12 on the core cyclone and fine cyclone,
4. Pump blowers,
5. Electrical supplies,
6. Steel for platform, and
7. Freight, foundation, fittings, and miscellaneous.

The facility was completed in August, 1973, and placed into operation in 1973.

The certification is claimed under the 1969 Act and the percentage claimed for pollution control is 100%.

Facility costs: \$59,015.94 (Accountant's certification was provided).

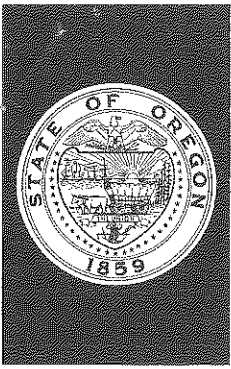
3. Evaluation of Application

The company was required to reduce the particulate emissions from the particleboard and plywood plants to comply with Oregon Administrative Rules (OAR) and Conditions 6, section A and 5, section B of their Air Contaminant Discharge Permit. Plans were submitted by Timber Products Company on July 28, 1972, and approval was granted by the Department on August 16, 1972. By subsequent tests, Timber Products has claimed compliance with OAR. The scrubbers installed by this project reduced sawdust emissions from 52 lb/hr to 2 lb/hr from the dryers and two cyclones.

The scrubbers capture the sawdust fines with water spray, producing a worthless, wet slurry. There is no monetary return from the claimed facility, so it is concluded that the project was installed solely for air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$59,015.94 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application Number T-663.



ENVIRONMENTAL QUALITY COMMISSION

1234 S.W. MORRISON STREET • PORTLAND, ORE. 97205 • Telephone (503) 229-5696

Robert W. Straub
GOVERNOR

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Chairman, McMinnville

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MORRIS K. CROTHERS
Salem

RONALD M. SOMERS
The Dalles

KESSLER R. CANNON
Director

To: Environmental Quality Commission
From: Director
Subject: Agenda Item No. D, June 27, 1975, EQC Meeting
Subject: Sewage Works Construction Grant Priority List for Fiscal Year 1976. Report of Hearing Results and Director's Recommendation

The attached Notice of Public Hearing, Proposed Sewage Works Construction Grant Priority List for FY 76 and related documents was circulated on May 20, 1974 to all cities on the list, known consulting engineers doing sewage works engineering for cities in Oregon, individuals and organizations who have requested to receive notice mailings on waste discharge permit actions and others who have requested copies.

The hearing is scheduled before the Department's hearings officer on June 20, 1975. A summary of testimony received at this hearing will be presented at the June 27, 1975 Commission meeting.

The Department will also present an evaluation of testimony received and such recommendations for modification of the list as may be appropriate.

Due to the need to adopt the list at the June 27th meeting and the short time available between the hearing and the meeting, the report and recommendations will probably not be available for review in advance of the meeting.

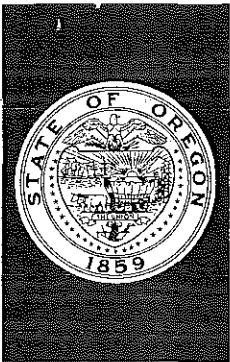
KESSLER R. CANNON
Director

HLS:ak
June 12, 1975

Encl. - 3



Contains
Recycled
Materials



DEPARTMENT OF ENVIRONMENTAL QUALITY

1234 S.W. MORRISON STREET • PORTLAND, ORE. 97205 • Telephone (503) 229-5301

ROBERT W. STRAUB
GOVERNOR

INFORMATIONAL MEMORANDUM & NOTICE OF PUBLIC HEARING
SEWERAGE WORKS CONSTRUCTION GRANTS PRIORITY LIST FOR FY 1976

KESSLER R. CANNON
Director

June 20, 1975
10:00 A.M.

Public Service Building
920 S. W. Fifth Avenue - 2nd Floor Auditorium
Portland, Oregon

Pursuant to the requirements of Public Law 92-500 CFR 35.915(f) and 35.556, a hearing will be held on June 20, 1975 for the purposes of obtaining testimony relevant to the Sewerage Works Construction Grant Priority List included herein. At its meeting on April 25, 1975, the Environmental Quality Commission advised the staff to utilize the priority criteria presented at that meeting and to develop a list of sewerage works projects which would most efficiently use available federal grant funds.

The criteria, enclosed with explanatory memoranda, most specifically reflects national concerns of "...the severity of pollution problems, the population affected, the need for preservation of high quality waters and national priorities as well as total funds available, project and treatment works sequence and additional factors established by the State..." Due to the necessity for stressing national concern, certain of the previous year's projects have been reduced in relative ranking. These include predominately projects not defined by a specific water pollution problem but facing the need for providing sewers in urban or urbanizing areas where population densities have rendered subsurface sewage disposal unsatisfactory. Such situations are critical to those directly involved but the federal emphasis on documented and existing major polluting discharges affords less than desirable program flexibility.

The hearing is called for permitting public participation in the project ranking procedure. Federal regulations require that the list receive such scrutiny. The Department of Environmental Quality also wishes to obtain relevant comment on the Priority Criteria so as to ensure that the foundation for the procedures is firmly based.

Included in this packet are the following:

1. A list of projects in priority order with costs and tentative funding sequence assigned.
2. A list of projects showing the priority point assignments and totals.
3. A copy of agenda Item No. E, April 25, 1975 EQC Meeting.

The results of the hearing will be presented to the EQC at its regular meeting on June 27, 1975. At that time, the Commission will be asked to approve, reject or modify the list as presented.

Your cooperation is requested to ensure that the Department's programs for expeditious and efficient handling of public funds may be fairly and equitably administered.

KESSLER R. CANNON
Director

HLS:ak
May 20, 1975

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Brownsville	700	90	33	10	2	835	76
Veneta	700	90	32	10	3	835	77
Government Camp S.D.	700	90	30	10	3	833	78
Klamath Fall Reg.(Co.)	700	90	23	10	2	830	79
Hermiston	700	90	26	10	2	828	80
Chiloquin	700	90	25	10	2	827	81
Ontario	700	90	24	10	2	826	82
Hines	700	90	23	10	2	825	83
Huntington	700	90	7	10	2	809	84
Baker	700	90	7	10	2	809	85
Joseph	700	90	6	10	1	807	86
Enterprise	700	90	6	10	1	807	87
Dufur	700	90	1	10	1	802	88
Lake Oswego-Willamette	600	100	76	8	3	787	89
Labish Village	600	100	76	8	3	787	90
North Bend	600	90	75	10	1	776	91
North Albany S.D.	600	90	76	8	2	776	92
North Plains	600	80	77	10	1	768	93
St. Paul	600	80	76	10	1	767	94
Lake Oswego (Harvey Way)	600	80	76	8	3	767	95
Lake Oswego (Terrace)	600	80	76	8	3	767	96
Lake Oswego (Evergreen)	600	80	76	8	3	767	97
Lake Oswego (Lakeview)	600	80	76	8	3	767	98
Clackamas Co.--(Rhoda- Welsches)	600	90	66	10	1	767	99
Coburg	600	80	76	10	1	767	100

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Portland (Umatilla)	700	90	69	8	3	870	51
LaGrande -Island City	700	90	67	10	2	869	52
Elgin	700	90	67	10	1	868	53
Corvallis-Crescent Vly.	700	80	76	8	2	866	54
Hammond	700	80	69	8	1	858	55
Port of Tillamook Bay	700	90	57	8	1	856	56
Seaside	700	90	54	10	1	855	57
Wheeler (Addendum to NTCSA Grant)	700	80	62	8	3	853	58
Aumsville	700	90	48	10	1	849	59
Yamhill	700	90	46	10	3	849	60
Tillamook City	700	80	57	10	1	848	61
Dayton	700	90	46	10	1	847	62
Sheridan-Willamina	700	90	46	10	1	847	63
Anity	700	90	46	10	1	847	64
Molalla	700	90	44	10	2	846	65
Woodburn-Gervais	700	90	45	10	1	846	66
Lebanon	700	90	42	10	2	844	67
Rockaway	700	90	41	10	2	843	68
Jefferson	700	90	42	10	1	843	69
Cannon Beach	700	90	41	10	1	842	70
Lincoln City	700	90	41	8	3	842	71
Cottage Grove	700	90	40	10	1	841	72
Creswell	700	90	40	10	1	841	73
Oakridge	700	90	39	10	1	840	74
Scio	700	90	35	10	1	836	75

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
USA (Rock Creek) STP	700	90	77	10	3	880	25
Portland (Tryon)	700	90	76	10	3	879	26
Harrisburg	700	90	76	10	3	879	27
USA (Rock Creek) Int.	700	90	77	8	3	878	28
Donmouth-Independence	700	90	76	10	2	878	29
Eugene-Springfield	700	90	76	10	2	878	30
Corvallis Airport	700	90	76	10	2	878	31
USA (Lower Tualatin)	700	90	77	8	3	878	32
USA (Upper Tualatin)	700	90	77	8	3	878	33
Tri-City - County	700	90	76	10	2	878	34
Newberg-Dundee	700	90	76	10	1	877	35
Clackamas Co. S.D. #1	700	90	76	8	3	877	36
Junction City	700	90	76	10	1	877	37
Eugene Airport	700	90	76	10	1	877	38
Maupin	700	90	74	10	2	876	39
Eugene (Eastside)	700	90	76	8	2	876	40
Corvallis Mobile Part	700	90	76	8	2	876	41
Glendale	700	90	73	10	2	875	42
Sutherlin	700	90	72	10	2	874	43
Eagle Point	700	90	71	10	3	874	44
Gold Hill	700	90	71	10	2	873	45
Cave Junction	700	90	71	10	2	873	46
Boardman	700	90	69	10	3	872	47
Jacksonville	700	90	71	8	3	872	48
Prairie City	700	90	68	10	2	870	49
Portland (SE Relieving)	700	90	69	8	3	870	50

NEEDS PRIORITY RANKING

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Corvallis	*						1
Clatskanie	*						2
Brookings	*						3
Matilla-McNary	*						4
Silver	*						5
Metarts-Oceanside	*						6
Union	*						7
Redwood S. D.	*						8
Fruitdale-Harbeck	*						9
Bend	1000					1000	10
Redmond	1000					1000	11
Foster Midway	1000					1000	12
Portland (Gertz-Schmeer)	1000					1000	13
Terrebonne	1000					1000	14
USA (Fanno-Phase 5)	800	90	77	8	3	978	15
USA (Willow Cr. 3rd Phase)	800	90	77	8	3	978	16
Riddle	800	90	73	10	3	976	17
Roseburg (Metro-Reg.)	800	90	73	10	3	976	18
Winston-Green (Reg.)	800	90	73	10	2	975	19
Canyonville	800	90	73	10	1	974	20
John Day	800	90	68	10	2	970	21
Mt. Vernon	800	80	68	10	1	959	22
Hillsboro-Irrigation	700	100	77	10	1	888	23
Long Creek	700	100	68	10	3	881	24

* Previously certified

Project Number	Priority Number	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
543	137	Bay-to-Bay S.D.	STP, INT	1,800	54	198	1,548	U		11-75	189R		189	77,372	10-76	1,161	78,208	
449	138	Falls City	STP, INT	500	15	55	430	09-75	11	03-76	41		52	77,424	10-76	322	78,620	
453	139	Bonanza	STP, INT	600	18	66	516	07-75	13	01-76	50		63	77,487	10-76	387	80,007	
544	140	Adrian	STP, INT	180	5	20	155	U		01-76	19R		19	77,506	11-76	116	80,123	
545	141	Prineville (Laughlin-Melrose)	INT	635	19	70	546	U		10-75	66R	05-76	410	476	77,982			
546	142	Crescent	STP, INT	300	9	33	258	08-75	6	04-76	25		31	78,013	03-77	193	80,316	
547	143	Ukiah	STP Imp.	800	24	88	688	U		02-76	84R		84	78,097	01-77	516	80,832	
548	144	Sumpter	STP, INT	200	6	22	172	01-76	4				4	78,101	10-76	145	80,977	
478	145	Juntura	STP, INT	80	2	9	69	01-76	2				2	78,103	03-77	58	81,035	
467	146	Silverton	STP Imp.	300	9	33	258	09-75	7	03-76	24		31	78,134	11-76	193	81,228	
549	147	Hillsboro (Westside)	STP Automation	300	9	33	258	08-75	6	12-75	25	05-76	194	225	78,359			
550	148	Wilsonville (Soeckman)	INT	200	6	22	172	09-75	4	01-76	17	06-76	129	150	78,509			
551	149	Sandy	INT	250	7	27	216	08-75	5	10-75	21	04-76	16P	187	78,696			
552	150	Powers	STP Imp.	150	4	16	130	07-75	3	01-76	12	07-76	97	112	78,808			
553	151	Bandon (Johnson)	INT	250	7	27	216	08-75	5	02-76	21		26	78,834	10-76	162	81,390	
463	152	Scotts Mills	STP, INT	700	21	77	602	08-75	16	04-76	58		74	78,908	11-76	451	81,641	
477	153	Detroit	STP, INT	700	21	77	602	08-75	16	02-76	58		74	78,982	02-77	451	82,202	

Project Number	Priority Number	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulat Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
531	114	Dunes City	STP, INT	600	18	66	516	07-75	13	09-76	50		63	72,737	03-77	387	73,243	
417	115	Pacific City S.D.	STP, INT	500	15	55	430	07-75	11	01-76	41	07-76	323	375	73,112			
442	116	Mopieton	STP, INT	600	18	66	516	U		06-76	63R		63	73,175	12-76	387	73,630	
532	117	Highway 101 S.D.	INT	200	6	22	172	10-75	4	05-76	17		21	73,196	12-76	129	73,759	
533	118	Florence	STP Imp.	70	2	8	60	08-75	1	02-76	6		7	73,203	10-76	45	73,304	
443	119	Turner	STP, INT	800	24	88	688	U		10-75	84R	06-76	516	600	73,803			
448	120	Aurora	STP, INT	800	24	88	688	07-75	18	11-75	66		84	73,887	10-76	516	74,320	
445	121	Donald	STP, INT	400	12	44	344	U		10-75	42R		42	73,929	10-76	258	74,578	
534	122	Newberg (Northwest)	INT	170	5	18	147	U		10-75	17R	03-76	110	127	74,056			
535	123	Canby	INT	200	6	22	172	U		10-75	21R	03-76	129	150	74,206			
450	124	Albany (Northeast)	INT	1,100	33	121	946	U		11-75	115R		115	74,321	10-76	709	75,287	
471	125	Tangent	INT	600	18	66	516	08-75	13	01-76	50		63	74,384	10-76	387	75,674	
536	126	Lapine	STP, INT	300	9	33	258	10-75	6	03-76	25		31	74,415	02-77	193	75,857	
447	127	Mill City	STP, INT	1,000	30	110	860	10-75	22	05-76	83		105	74,520	12-76	645	76,512	
412	128	Butte Falls	STP, INT	500	15	55	430	U		08-75	52R	05-76	323	375	74,895			
451	129	Twin Rocks S.D. (Barview)	INT	200	6	22	172	U		10-75	21R	04-76	129	150	75,045			
537	130	S.W. Lincoln Co. S.D.	STP Imp., INT	2,200	66	242	1,892	U		10-75	231R	09-76	1,419	1,650	76,695			
538	131	Roads End S.D.	INT	300	9	33	258	08-75	7	12-75	25	06-76	193	225	76,920			
539	132	St. Helens	STP Imp., INT	240	7	26	207	08-75	5	02-76	20		25	76,945	10-76	155	75,667	
540	133	Merrill	STP Imp.	100	3	11	86	08-75	2	02-76	8		10	76,955	03-77	64	76,731	
469	134	Modoc Point	STP, INT	280	8	30	242	10-75	6	06-76	23		29	76,984	01-77	181	76,912	
541	135	Sisters	STP, INT	400	12	44	344	09-75	9	02-76	33		42	77,026	02-77	258	77,170	
542	136	Carmel-Foulweather S.D.	STP, INT	1,500	45	165	1,290	07-75	33	02-76	124		157	77,183	10-76	967	78,137	

Project Number	Priority Number	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulat Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
521	92	North Albany S.D.	INT	1,800	30	126	1,644	C		07-75	117R		117	66,749	10-76	1,233	69,229	
522	93	North Plains	INT	300	9	33	258	09-75	7	02-76	24		31	66,780	12-76	193	69,422	
523	94	St. Paul	STP, INT	450	13	49	388	U		08-75	47R	03-76	290	337			67,117	
524	95	L.Oswego (Harvey Way)	INT	200	6	22	172	U		08-75	21R	01-76	129	150			67,267	
525	96	L.Oswego (Terraco)	INT	100	3	11	86	U		08-75	10R	01-76	65	75			67,342	
465	97	L.Oswego (Evergreen)	INT	300	9	33	258	U		08-75	31R	01-76	194	225			67,567	
462	98	L.Oswego (Lakeview)	INT	200	6	22	172	U		08-75	21R	01-76	129	150			67,717	
526	99	Clackamas County Rhododendron-Welsches	STP Imp.	400	12	44	344	U		04-75	42R		42	67,759	10-76	258	69,620	
470	100	Coburg	STP, INT	1,000	30	110	860	08-75	22	02-76	83	08-76	645	750			68,509	
393	101	Charleston-Barview S.D.	INT	1,100	33	121	946	U		U		06-75	825R	825			69,334	
435	102	Glide-Idleyld	STP, INT	1,200	36	132	1,032	U		12-75	126R		126	69,460	12-76	774	70,454	
313	103	West Linn (L.Tualatin)	INT	266	8	29	229	U		08-75	28R	02-76	172	200			69,660	
455	104	Shady Cove	STP, INT	800	24	88	688	U		12-75	84R	05-76	516	600			70,260	
456	105	Marlin-Col. Valley	STP, INT	1,000	30	110	860	08-75	22	01-76	83	06-76	645	750			71,010	
527	106	BCVSA (Westside)	INT	225	6	25	194	09-75	5	01-76	19	06-76	145	169			71,179	
437	107	Wauna-Westport	SPT, INT	1,000	30	110	860	07-75	22	02-76	83	08-76	645	750			71,929	
426	108	Mult.Co. (Inverness #8)	INT	500	15	55	430	U		U		03-76	375R	375			72,304	
465	109	Gresham (Ruby Junction)	INT	1,500	45	165	1,290	09-75	33	02-76	124		157	72,461	10-76	967	71,421	
356	110	Columbia City	INT	200	6	22	172	08-75	4	02-76	16		20	72,481	10-76	129	71,550	
523	111	Cove	STP Imp.	800	24	88	688	08-75	18	02-76	66		84	72,565	01-77	516	72,066	
529	112	Siggs Junction	INT	200	6	22	172	07-76	4				4	72,569	11-76	145	72,211	
530	113	Lakeside	STP, INT	1,000	30	110	860	07-75	22	01-76	83		105	72,674	10-76	645	72,855	

Project Number	Priority Number	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulatively Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
510	69	Jefferson	STP, INT	400	12	44	344	07-75	9	04-76	33		42	63,158	03-77	258	64,183	
511	70	Cannon Beach	STP Imp.	300	9	33	258	07-75	7	02-76	25		32	63,190	10-76	193	64,376	
450	71	Lincoln City	Phase I	200	6	22	172	C		09-75	21R	04-76	129	150			63,340	
512	72	Cottage Grove	STP Imp.	1,000	30	110	860	U		02-76	105R		105	63,445	10-76	645	65,021	
513	73	Creswell	STP Imp.	400	12	44	344	08-75	9	02-76	33		42	63,487	10-76	258	65,279	
514	74	Cakridge	STP Imp.	300	9	33	258	09-75	7	04-76	25		32	63,519	10-76	193	65,472	
515	75	Scio	STP Imp.	150	4	16	130	08-75	3	01-76	12		15	63,534	11-76	97	65,569	
425	76	Brownsville	STP Imp.	300	9	33	258	U		09-75	31R	03-76	194	225			63,759	
335	77	Veneta	STP Exp.	400	12	44	344	U		U		10-75	300R	300			64,059	
441	78	Govt. Camp S.D.	STP Imp.	600	18	66	516	U		U		07-75	450R	450			64,509	
516	79	K. Falls Reg. (Co.)	STP	2,200	66	242	1,892	07-75	50				50	64,559	06-77	1,600	67,169	
517	80	Hermiston	STP	300	9	33	258	U		09-75	31R	04-76	194	225			64,784	
373	81	Chiloquin	STP Imp.	600	18	66	516	C		06-75	63R	06-76	387	450			65,234	
510	82	Ontario	STP Imp.	300	9	33	258	U		07-75	31R	06-76	194	225			65,459	
422	83	Hines	Cl ₂	30	1	3	26	U		U		06-75	22R	22			65,481	
351	84	Huntington	Cl ₂	30	1	3	26	C		U		05-75	22R	22			65,503	
431	85	Baker	STP Imp.	150	5	16	129	U		11-75	16R	06-76	97	112			65,615	
519	86	Joseph	STP Imp.	600	18	66	516	08-75	13	04-76	50		63	65,678	12-76	387	67,556	
534	87	Enterprise	STP Imp.	540	16	59	464	08-75	12				12	65,690	06-77	392	67,948	
473	88	Dufur	STP Imp.	75	2	8	65	09-75	2	02-76	6		8	65,698	10-76	48	67,996	
440	89	Leke Oswego-Willamette	INT	870	26	95	749	C		U		06-75	652R	652			66,350	
434	90	Labish Village	INT	127	4	14	109	C		C		07-75	95R	95			66,445	
520	91	North Bend	STP Imp.	250	7	27	216	U		07-75	26R	12-75	161	187			66,632	

Project Number	Priority	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
423	46	Cave Junction	STP Imp.	300	9	33	258	09-75	7	03-76	25	09-76	193	225	54,018			
424	47	Boardman	STP Imp.	750	22	82	646	C		U		09-75	562R	562	54,580			
493	48	Jacksonville	INT	300	9	33	258	U		08-75	31R	05-76	194	225	54,805			
499	49	Prairie City	STP, INT	330	10	36	284	C		U		07-75	247R	247	55,052			
342	50	Portland (SE Relieving)	INT	3,500	105	385	3,010	U		U		10-75	2,625R	2,625	57,677			
500	51	Portland (Umatilla)	INT	288	8	31	249	U		U		10-75	216R	216	57,893			
475	52	LaGrande-Island City	STP Imp., INT	900	27	99	774	U		09-75	94R	06-76	581	675	58,568			
472	53	Elgin	STP Imp.	85	3	9	73	09-75	2	04-76	7			9	58,577	10-76	54	61,778
501	54	Corvallis-Crescent Vly.	INT	1,100	33	121	946	U		08-75	115R	03-76	710	825	59,402			
502	55	Hammond	INT	400	12	44	344	10-75	9	04-76	33	09-76	258	300	59,702			
465	56	Port of Tillamook Bay	INT	600	18	66	516	U		10-75	63R	05-76	387	450	60,152			
503	57	Seaside	STP Imp.	2,000	60	220	1,720	09-75	45	05-76	165			210	60,362	10-76	1,290	63,653
504	58	Wheeler	INT	400	12	44	344	U		C		09-75	300R	300	60,662			
427	59	Aumsville	STP Imp.	25	1	3	21									10-76	19	63,687
404	60	Yamhill	STP Imp.	100	3	11	86	08-75	2	01-76	8	06-76	65	75	60,737			
505	61	Tillamook City	STP Imp.	600	18	66	516	U		08-75	63R	06-76	387	450	61,187			
430	62	Dayton	STP Imp.	290	8	32	250	07-75	6	12-75	24	06-76	187	217	61,404			
506-507	63	Sheridan-Willamina	STP Imp., INT	300	9	33	258	07-75	7	05-76	25			32	61,436	05-77	193	63,280
503	64	Anity	STP Imp.	200	6	22	172	09-75	4	07-76	17			21	61,457	06-77	129	63,409
444	65	Molalla	STP Exp.	300	9	33	258	08-75	7	12-75	25	07-76	193	225	61,682			
508-476	66	Woodburn-Gervais	STP Imp., INT	800	24	88	688	07-75	18	04-76	66			84	61,766	03-77	516	63,925
446	67	Lebanon	STP Imp.	1,500	45	165	1,290	U		09-75	157R	06-76	968	1,125	62,891			
273	68	Rockaway	STP Imp.	300	9	33	258	U		07-75	31R	04-76	194	225	63,116			

Project Number	Priority Number	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
					Dollars	Dollars	Dollars											
489	23	Hillsboro-Irrigation	STP #1	100	3	11	86	U		08-75	10R	12-75	65	75			28,912	
403	24	Long Creek	STP	200	6	22	176	C		U		10-75	150	150			29,062	
485-01	25	USA (Rock Creek)	STP	25,199	378	1,512	23,309	C		06-75	1,890R	06-75	18,899	8,000*	10-76	10,899**	41,800	
341	26	Portland (Tryon)	STP	5,500	165	605	4,730	C		C		08-75	4,125R	4,125			41,187	
490	27	Harrisburg	STP	375	11	41	323	07-75	8	01-76	31	06-76	242	281			41,468	
455-02	28	USA (Rock Creek)	INT	4,500	135	495	3,870	C		U		12-75	3,375R	3,375			44,843	
452	29	Monmouth-Independence	STP	800	24	88	688	U		10-75	84	08-76	516	600			45,443	
454	30	Eugene-Springfield	STP	15,000	225	846	13,929	U		01-76	803R		803		10-76	10,446	52,246	
458	31	Corvallis Airport	STP or INT	500	15	55	430	U		09-75	52R	05-76	323	375			46,621	
491	32	USA (Lower Tuolatin)	INT	600	18	66	516	U		03-76	63	08-76	387	450			47,071	
492	33	USA (Upper Tuolatin)	INT	2,650	45	160	2,445	U		04-76	153	09-76	1,834	1,987			49,058	
493	34	Tri-City - County	Reg. STP	7,500	112	825	6,563	U		01-76	703R		703		10-76	4,922	57,168	
494-495	35	Newberg-Dundee	Reg. STP	1,200	36	132	1,032	07-75	27	02-76	99		126		10-76	774	57,942	
461	36	Clackamas Co.S.D. #1	INT	630	18	69	543	U		U	65R	07-75	407*	472			50,359	
496	37	Junction City	STP Imp.	350	10	38	302	07-75	7	12-76	29		36		04-77	226	58,168	
497	38	Eugene Airport	STP Imp.	200	6	22	172	01-76	4	07-76	17		21		01-77	129	58,297	
374	39	Maupin	STP Imp.	235	7	25	203	U		10-75	24R	06-76	152	176			50,592	
474	40	Eugene (Eastside)	INT	4,500	135	495	3,870	U		01-76	472R		472		01-77	2,902	61,199	
459	41	Corvallis Mobile Park	INT	700	21	77	602								06-77	525	61,724	
494	42	Glendale	STP Imp.	800	24	88	688	U		09-75	84R	03-76	516	600			51,664	
495	43	Sutherlin	STP Imp.	2,290	23	252	2,015	U		09-75	206R	03-76	1,511	1,717			53,381	
429	44	Eagle Point	STP Imp.	175	5	19	151	U		01-76	18R	07-76	113	131			53,512	
413	45	Gold Hill	STP Imp.	375	11	41	323	09-75	8	03-76	31	09-76	242	281			53,793	

*Phase I

**Phase II

LEGEND

- C = Complete
- R = Includes Reimbursement of STEP I and/or STEP II
- U = Underway
- A = Awarded

DEPARTMENT OF ENVIRONMENTAL QUALITY - WATER QUALITY CONTROL
May, 1975

NOTE

All Dollar Amounts
In Thousands of
Dollars

PROJECT LIST - CONSTRUCTION GRANTS

Project Number	Priority Number	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
355	1	Corvallis	STP Imp.	12,000			10,320	C		A	07-75	7,740	7,740	7,740				
330	2	Clatskanie	STP Imp.	1,100		108	946	C		06-75	81R	08-75	709	790	8,530			
400	3	Brookings	INT	208	6	23	179	C		C	07-75	156R	156	8,686				
400	4	Umatilla-McNary	INT	198	6	22	170	C		C	01-75	148R	148	8,834				
306	5	Culver	STP, INT	231	7	25	199	C		C	04-75	173R	173	9,007				
323	6	Netarts-Oceanside	STP, INT	1,500	45	165	1,290	C		07-75	157R	03-76	967	1,125	10,132			
303	7	Union	STP, INT	490	15	54	421	C		06-75	51R	09-75	316	367	10,499			
411	8	Redwood S.D.	STP, INT	900	27	99	774	C		U	08-75	675R	675	11,174				
415	9	Fruitdale-Harbeck	INT	88	3	10	75	C		C	04-75	66R	66	11,240				
485	10	Bond	System	28,201	51	1,551	26,599	U		02-76	1,201R		1,201	12,441	11-76	19,949	19,949	
347	11	Redmond	System	14,129	210	820	13,099	U		10-75	772R	09-76	9,824	10,596	23,037			
432	12	Foster-Midway	System	2,800	42	270	2,488	12-75	31	07-76	202		233	23,270	03-77	1,866	21,815	
326	13	Portland (Gertz-Schmeer)	System	2,600	39	286	2,275	C		C	09-75	1,950R	1,950	25,220				
484	14	Terrebonne	System	900	27	99	774								12-76+	675	22,490	
332-02	15	USA (Fanno - Phase 5)	INT	186	6	20	160	U		U	07-75	139R	139	25,359				
425	16	USA (Willow Crk - Phse.3)	INT	190	6	21	163	U		U	08-75	142R	142	25,501				
349	17	Riddle	STP	525	16	58	451	C		U	08-75	393R	393	25,894				
487	18	Roseburg Metro. (Reg.)	STP	10,600	318	1,166	9,116	U		01-76	1,113R		1,113	27,007	07-77	6,837	29,327	
410	19	Winston-Green (Reg.)	STP	1,800	36	198	1,566	U		08-75	175R	03-76	1,174	1,349	28,356			
403	20	Canyonville	STP Imp.	840	25	92	723	08-75	19	06-76	69		68	28,444	12-76	542	29,859	
453	21	John Day	STP, INT	1,600	48	176	1,376	10-75	36	06-76	132		168	28,612	07-77	1,032	30,901	
433	22	Mt. Vernon	STP, INT	300	9	33	258	07-75	7	01-76	25	06-76	193	225	28,837			

DEPARTMENT OF ENVIRONMENTAL QUALITY

PRIORITY LIST

Fiscal Year 1976

The list attached is a ranking of projects in numerical sequence in accordance with the point system developed by the Department and approved by the Environmental Quality Commission.

The funding allocation to Oregon by the Environmental Protection Agency is \$77,582,900. Increasing this figure by the amount of unobligated 75 FY funds and decreasing it by FY 75 project cost overruns and reserve requirements results in a funding availability for obligation under the proposed project listing of approximately \$77,000,000. This permits the inclusion of projects 1 through 129 within the current funding limitations.

Since the Environmental Quality Commission has the authority to modify the list and the criteria and EPA approval and public acceptance are requisites for use, a specific cut-off project has not been determined at this time. This will be done following the acceptance and approval of the list, and the affected municipalities will be notified.

NumberName of Segment

48	Hood River
49	Umatilla River
50	Klamath River
51	Sprague River
52	Lost River
53	Williamson River
54	Snake River
55	Silvies River
56	Salmon River
57	Alsea River
58	Lower Umpqua River
59	Lewis and Clark River
60	Klaskanine River
61	White River
62	Warm Springs River
63	Crooked River
64	Metolius River
65	Spring River
66	Fall River
67	Little Deschutes River
68	North Fork John Day River
69	South Fork John Day River
70	Walla Walla River
71	Powder River
72	Wallowa River

NumberName of Segment

23	Netarts Bay
24	Siuslaw River
25	Chetco River and Chetco Cove
26	Coquille River
27	South Coquille River
28	Yaquina River
29	South Yamhill River
30	Mill Creek
31	North Yamhill River
32	Yamhill River
33	Pudding River
34	Molalla River
35	South Santiam River
36	Santiam and North Santiam River
37	Pacific Ocean
38	Coast Fork Willamette River
39	Middle Fork Willamette River
40	Clackamas River
41	McKenzie River
42	Rickreall Creek
43	Luckiamute River
44	Marys River
45	Calapooia River
46	Long Tom River
47	Columbia Slough

STREAM SEGMENT RANKING
from "Annual State Water Strategy -- FY 75"

<u>Number</u>	<u>Name of Segment (*)</u>
1	Tualatin River
2	Willamette River
3	Coos Bay
4	Deschutes River
5	South Umpqua River
6	Umpqua and North Umpqua River
7	Rogue River
8	Bear Creek
9	Columbia River
10	John Day River
11	Grande Ronde River
12	Sandy River
13	Skipanon River
14	Necanicum River
15	Neacoxie Creek
16	Nehalem River
17	Nehalem Bay
18	Wilson River
19	Trask River
20	Tillamook River
21	Tillamook Bay
22	Nestucca River

(*) Named segment includes tributaries thereto unless such tributaries are otherwise listed.

Table A
Page 2

Point
Assignment

Point
Categories

Step Status

- | | |
|---|----------------------------------------------------|
| 1 | Step I - Facilities plan preparation. |
| 2 | Step II - Preparation of plans and specifications. |
| 3 | Step III - Project construction. |

Table A

Project Priority Ranking Criteria for FY 76

<u>Point Assignment</u>	<u>Point Categories</u>
	<u>Project Need</u>
1000 Total*	Project necessary to comply with mandatory annexation order under ORS 222 or Waste Disposal Well Schedule under OAR Chapter 340, Section 44-005 et seq. (Includes sewage collection system, where appropriate). (*Points for regulatory emphasis, stream segment ranking, project type, and step status included in total.)
800	Project necessary to achieve compliance with in-stream Water Quality Standards contained in OAR Chapter 340 Division 4 Subdivision 1 or eliminate a contribution to standards violation.
700	Project necessary to comply with minimum waste treatment standards or effluent standards established by the Department of Environmental Quality or the Environmental Protection Agency.
600	Project needed to minimize or eliminate documented "non point source" contamination of groundwater or surface waters relating to subsurface sewage disposal system malfunction in known urban or urbanizing areas.
400	Project desirable for prevention of potential water pollution problems.
	<u>Regulatory Emphasis</u>
100	Environmental Quality Commission Order or Regulation.
90	NPDES or State Waste Discharge Permit.
80	Letter directive, preliminary planning approval or project authorization from the Department of Environmental Quality.
50	Other written statement of project desirability by DEQ or the Commission.
	<u>Stream Segment Ranking</u>
77 maximum	Streams ranked in inverse order to that shown in "Annual State Water Strategy - FY 75".
	<u>Project Type</u>
10	Sewage treatment plant projects including cost-effective sewer rehabilitation.
8	Interceptor sewers, major pumping stations and pressure mains.

may either reserve the funds for an additional three months or may allocate same to the next project on the list awaiting funds. The Department shall notify the applicant of its intent to take such action.

F Contingency Reserve

A minimum of 15% of each fiscal year's allocation of grant funds shall be set aside as a contingency reserve for grant increases and cost adjustments. A portion of the contingency reserve may be allocated to initiate new projects three months prior to the end of the fiscal year if it appears that the total reserve will not need to be maintained.

VI Eligibility for Funding

- A Except as noted in B below, facilities eligible for grant assistance shall be limited to sewage treatment works, interceptor sewers, major pumping stations and pressure mains, and such public sewer system rehabilitation as can be shown to have an obvious cost effective benefit related directly to size, effective life or performance of the sewage treatment plant.
- B For FY 76, collection systems shall be eligible for grant assistance where such systems are required to comply with a mandatory annexation order issued pursuant to ORS 222 or DEQ regulations requiring elimination of Waste Disposal Wells (OAR Chapter 340 Section 44-005 et seq). This eligibility of collection systems will not be extended beyond June 30, 1976 unless the Environmental Quality Commission finds that sufficient federal funds are available to permit extension without jeopardizing the construction program for essential treatment works and interceptor sewers.

HLS:ak
April 18, 1975

B Additions or Elevation in Ranking.

Projects may be added to the list or elevated in ranking at the discretion of the Director subject to the following procedure:

1. Points shall be assigned in accordance with Table A and the point total will determine the ranking of the project with respect to projects already on the list.
2. Sponsors of those projects which have fewer total points than the new or re-ranked project shall be notified of the proposed list modifications and a public hearing shall be scheduled with appropriate notice given for the purpose of receiving testimony on the list modifications.
3. Following the evaluation of testimony received, the Commission may adopt the modified list as under Section III.

C Deletion or Reduction in Ranking

Projects may be deleted from the list or reduced in ranking by the Director without public hearing either in the event of a project's receiving full funding, or by reassessment of point totals or basic project desirability. Sponsors of projects thus deleted or reduced in ranking shall be notified of the revised status of the project and may request a hearing before the Commission regarding the revised status. Such a hearing request must be made to the Director within 20 days following receipt of the notification of revised status and the Director shall schedule a hearing before the Commission within 60 days.

D Carryover of Projects to Subsequent Year Lists

1. All projects which have received a Step II or Step III grant in a given fiscal year and are not completed will automatically be placed at the top of the priority list for the next fiscal year in the same relative ranking as they appeared in the prior year in order to assure continuity and funding.
2. All projects which have not yet received any grant or have received only a Step I grant will be subject to reprioritization along with all new projects for the next year's list.

E Project Scheduling

Funds shall be reserved for each project for those phases that are scheduled for initiating within three months of the end of the fiscal year. Phases which will not be initiated within that time frame will be scheduled for funding from subsequent year funds. In the event of schedule slippage, the Department

ATTACHMENT I

Criteria for Priority Ranking of Sewerage Works Construction Needs for FY 76

I Purpose

The criteria and rules for application set forth herein shall be used to govern the priority ranking of identified sewerage works construction needs for construction grant funding pursuant to applicable state and federal law and regulations from July 1, 1975 through June 30, 1976. The criteria and rules for application shall be reevaluated prior to June 30, 1976 to assess the necessity for changes based on availability of funds relative to needs.

II Definition

Applicable definitions from ORS Chapters 468 and 454 shall apply.

III Development and Adoption of Project Priority List

At least annually, and prior to the beginning of the fiscal year related to the available grant funds, the Department shall prepare a proposed project priority list pursuant to the criteria and rules for application set forth herein. As required by federal rules and after appropriate notice, a hearing shall be held on the proposed list. Following evaluation of testimony received and modification as necessary, the Commission shall adopt a project priority list which shall be the official Sewerage Works-Construction Grant Priority list of the State of Oregon. The adopted list may be revised at any time following appropriate notice and hearing.

IV Priority Criteria

Identified needs shall be ranked using a numerical point system.

Table A contains the schedule for points assignment within each of the five categories of:

- a) Project Need
- b) Regulatory Emphasis
- c) Stream segment ranking
- d) Project Type
- e) Step Status

Except for projects receiving 1000 total points under the Project Need category, each need or project will be assigned appropriate points in each of five categories. The points for each project will then be added and sum therefrom will be the point total used for developing the project priority list. The project with the highest point total will be the highest priority project.

V Rules for Application of Criteria

A Assignment of Points

Points shall be assigned for each project based on best available data at the time of ranking for adoption of a list. In the event additional information justifies a change in point assignment, change in ranking shall be accomplished in accordance with B or C below.

Collection systems are proposed for funding where Mandatory Annexation Order or Drill Hole Elimination Regulations necessitate a project. It should be emphasized that such funding is anticipated to be applicable in FY 76 only, in view of the fact that sufficient funds will be available to accommodate the construction of necessary projects during that fiscal year. The situation will undoubtedly be different in FY 77, and it is foreseen that the Commission will wish to review this particular concept in detail next year before extending such eligibility.

RECOMMENDATION

It is recommended that the proposed priority ranking system be adopted by the Commission so that a priority list for \$77.5 million of FY 76 construction grant money can be developed and presented at a hearing for adoption as required by federal rules.



KESSLER R. CANNON

HLS:rgn

4-18-75

their relative standing, assigning projects on the highest stream a score of 77 points and those on the lowest 1 point.

4. Project Type

This general classification is essentially unchanged from previous years. Projects receiving 10 points include sewage treatment plants, plant outfalls, and such public sewer system rehabilitation as can be shown to have an obvious economic benefit by extending the effective life and performance of the sewage treatment plant.

Interceptor sewers, major pumping stations and pressure mains would be assigned 8 points, in keeping with the emphasis on sewage treatment plant construction.

Projects which incorporate both treatment works and interceptors would receive 10 points.

5. Step Status

The federal regulations make definite distinctions among the various phases of a project, delineating between the Facilities Plan (Step I), the preparation of plans and specifications (Step II), and construction (Step III). The funds are most urgently needed at this time for the orderly progression of projects through construction. The construction phase, being the most costly, is the most critical from the standpoint of cash flow, and cannot be deferred once under way. The importance of this step is underscored by assigning 3 points to construction as an intergroup separator. This will ensure that the project nearing construction would be funded before initiating planning of an otherwise equivalent project. Step I and Step II projects would receive 1 and 2 points, respectively.

ADDITIONAL COMMENTS

It is the intent of the grant project prioritization system to provide a method for evaluating projects for federal funding such that all reasonable criteria of need are quantified. When developing a priority list of identified needs, it is impossible to assess the full impact of the alternatives and bring these factors into the evaluation and priority assignment. There could be some projects which will not progress beyond the Facilities Plan stage because the "no-build" option is the best economic and environmentally responsible alternative. Thus, a project could have priority for a Step I plan and cease to be a priority need as a result of the plan. However, once a Step II grant is received, and design of facilities is commenced, the project must maintain priority through the construction phase.

Thus, it is proposed that all projects receiving a Step II grant one year and not reaching the Step III phase the same year be placed at the top of the priority list for the next year in the same relative rank as the previous year.

is not an immediate concern, but where experience and technical information project an apparent future problem. This would relate to growing, unsewered communities in such areas as lakesides, flood plains, or rocky terrain.

2. Regulatory Emphasis

A second level classification for separating projects within a priority system involves the level of interest of the regulatory agencies involved. This allows a relative ranking of projects within a specific need category, and emphasizes those projects whose rapid progress is most urgently needed. These are shown below along with point designations for the sub-grouping.

- a. Environmental Quality Commission
Order or Regulation: 100 points
- b. DEQ issued Permit: 90 points
- c. Letter directive, preliminary planning approval or project authorization: 80 points
- d. Other positive written response by the Department or Commission related to the desirability of the project: 50 points.

3. Stream Segment Ranking

As a result of the passage of PL 92-500, the federal government through EPA requires the state to submit an Annual Strategy for Water Quality Control activities and emphasis during the following fiscal year. A part of this strategy is a ranking of the stream segments based on:

- a. Severity of pollution
- b. Population affected
- c. Need for preservation of high quality waters
- d. National priorities.

Inasmuch as these are exactly the concerns outlined in the federal regulations for project priority assignments, the Stream Segment Ranking may be directly utilized in these criteria.

In 1973, DEQ identified and ranked 77 "stream segments" with highest point being number 1 and lowest point being number 77. The ranking reflected the best collective judgment of the Department of relative need for regulatory attention. The same ranking was used in 1974 and is proposed for use again this year. The ranking is attached as Attachment II. The point assignments for grant priority purposes will be in inverse order to

documentation, the sewage collection systems be included in the grant eligible project costs.

- b. The next highest category of need involves those rivers and streams whose water quality is protected by Water Quality standards. Facilities necessary to achieve compliance with water quality standards or eliminate a contribution to standards violation would be reason for applying 300 points to the project proposed. For example, water quality standards are presently exceeded in the South Umpqua, the Pudding, the John Day and the Tualatin Rivers during the dry weather, low-flow periods. This is attributable in part to the discharge of domestic waste waters and will be improved by providing a higher quality of effluent.
- c. The third "Need" category, worth 700 points, relates to facilities required to comply with an effluent or minimum treatment requirement spelled out by regulation, permit, order or other specific directive. Such minimum standards are usually designed to protect high quality waters or prevent degradation of existing quality.
- d. The fourth category of need, worth 600 points, is of considerable significance more because of its widespread occurrence than from its measurable instream pollution impact. This is the "Non-Point Source" discharge affecting ground and surface water. In many Oregon communities, the surface discharge from failing drainfield systems has definite health and water pollution ramifications. The occurrence of enteric organisms in ditches and drainage ways has the effect of threatening the health of entire communities, as well as impacting in stream water quality. High groundwater, constant subsurface disposal system leaching and uncovered drainage ditches in urbanizing areas combine to provide the potential for serious illness in a community if the problems remain ignored. The potential is particularly acute when shallow private water wells are utilized. These are often constructed without proper casing and well seals, and provide a passage for contaminated water to reach the shallow ground water aquifers. Thus, irreparable harm and water pollution can occur from this common problem. It has been difficult in the past to document the health hazard aspect of these problems to the satisfaction of EPA. By redefining the category to include documentable effect on surface or underground waters, it is hoped EPA's concerns can be satisfied.
- e. A 400 point category has been designated to deal with those instances where water pollution abatement

The categories within this classification are ranked to reflect national and state water pollution and water quality related public health priorities.

- (a) Sewerage facilities required by the Mandatory Annexation legislation (ORS 222.) and the Drill Hole Elimination Regulations (OAR Chapter 340 Section 44-005 et seq.) occupy the highest place in the Needs category and are numerically assigned 1000 points. The need for sewerage facilities in each case is supported by specifically-identified problems for which strong regulatory actions have been taken by DEQ or the State Health Division pursuant to law.

The mandatory annexation law provides for a public health survey of problem areas, a certification of existence of a health hazard emergency, a forced annexation of the problem area to the adjacent city, and an order to the city to construct a sewage collection and interception facility to eliminate the public health hazard.

In 1969, the EQC found the practice of disposal of sewage into rock crevices through "drill holes", which is used in Central Oregon, to be a serious ground water pollution threat and adopted regulations requiring an orderly phase out of all drill holes by 1980. The Federal Water Pollution Control Administration (now EPA) supported the action of the Commission. Total sewerage systems must be constructed in several communities to achieve compliance with the regulations.

The Federal Act (PL 92-500) providing sewerage works grant authority to EPA allows the use of grant funds not only for "treatment works" as usually connoted, but also for sewage collection systems, stormwater collection and treatment systems, and other related collection and treatment facilities. To date, actual use of funds has been limited by DEQ (with EPA concurrence and approval) to sewage treatment plants, major interceptors and pumping stations, and plant outfall sewers. This was intended to make the best direct pollution abatement use of the limited grant funds which were available. This approach is still the best efficient overall use of the funds. However, it is highly desirable to be able to extend eligibility to sewage collection systems where such are required by Mandatory Annexation proceedings and regulations for elimination of drill hole sewage disposal in urban areas. Since such projects are of substantial water quality control and critical public health concern, and usually are hampered in implementation by inordinately high project costs, it is proposed that, in this category only, where it is specifically supported by appropriate



ENVIRONMENTAL QUALITY COMMISSION

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TOM McCALL
GOVERNOR

To: Environmental Quality Commission

B. A. McPHILLIPS
Chairman, McMinnville

From: Director

GRACE S. PHINNEY
Corvallis

Subject: Agenda Item No. E, April 25, 1975, EQC Meeting

JACKLYN L. HALLOCK
Portland

Proposed Criteria for Prioritizing Sewage Works Construction Needs for Construction Grant Purposes for FY 76

MORRIS K. CROTHERS
Salem

Background

RONALD M. SOMERS
The Dalles

Public Law 92-500 authorizes 75% federal grants for construction of eligible sewerage facilities. This law and the implementing rules adopted by EPA require the state to adopt a criteria for prioritizing needs for grant funding consideration. This state priority criteria must then be approved by EPA. Following adoption and approval of the priority criteria, the state must annually develop a prioritized project list and adopt it following a public hearing.

KESSLER R. CANNON
Director

DEQ has been operating under priority criteria approved by the EQC in 1973. Since that time, Federal rules, requirements and interpretations have been constantly changing. We have now reached a point where the priority criteria must be modified in order to get grant projects moving.

Federal regulations (CFR 40., Section 35.915) establish the areas of national concern which must be addressed in the priority criteria, including "...the severity of pollution problems, the population affected, the need for preservation of high quality waters and national priorities as well as total funds available, project and treatment works sequence and additional factors established by the State...."

Attachment I contains the Department's proposed new priority criteria. Explanation and discussion of the components is as follows:

Discussion of Priority Criteria

1. Project Need

This classification identifies the various water pollution related conditions or situations for which a sewerage construction project is anticipated to be the best economic and environmentally appropriate solution.



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Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Hill City	600	80	42	10	1	733	127
Butte Falls	600	50	71	10	2	733	128
Twin Rocks S.D. (Barview)	600	80	41	8	3	732	129
SW Lincoln Co. S.D.	600	80	41	8	2	731	130
Roads End S.D.	600	80	41	8	2	731	131
St. Helens	600	50	69	8	2	729	132
Merrill (E. Merrill)	600	90	26	10	1	727	133
Modoc Point	600	80	28	10	1	719	134
Sisters	600	80	15	10	2	707	135
Carmel-Foulweather S.D.	600	50	41	10	2	703	136
Bay-to-Bay S.D.	600	50	41	8	2	701	137
Falls City	600	50	35	10	1	696	138
Bonanza	600	50	26	10	1	687	139
Adrian	600	50	24	10	1	685	140
Prineville (Laughlin- Melrose)	600	50	15	8	2	675	141
Crescent	600	50	11	10	1	672	142
Ukiah	600	50	10	10	2	672	143
Sumpter	600	50	7	10	1	668	144
Juntura	600	50	7	10	1	668	145
Silverton	400	90	45	10	1	546	146
Hillsboro(R&D-Westside)	400	50	77	10	1	538	147
Milsonville (Boeckman)	400	50	76	8	2	536	148
Sandy	400	50	66	8	3	527	149
Powers	400	50	51	10	1	512	150
Bandon (Johnson)	400	50	52	8	1	511	151
Scotts Mill	400	50	45	10	1	506	152
Detroit	400	50	42	10	1	503	153

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Charleston-Barview S.D.	600	80	75	8	3	766	101
Glide-Idelyld	600	80	72	10	3	765	102
West Linn (Lower Tualatin)	600	80	76	8	1	765	103
Shady Cove	600	80	71	10	2	763	104
Merlin-Col. Valley	600	80	71	10	2	763	105
BCVSA-(Central Point) (Westside)	600	80	71	8	2	761	106
Wauna-Westport	600	80	69	10	1	760	107
Multnomah County (Inverness #8)	600	80	69	8	3	760	108
Gresham (Ruby Junction)	600	80	69	8	1	758	109
Columbia City	600	80	69	8	1	758	110
Cove	600	80	67	10	1	758	111
Biggs Junction	600	80	69	8	1	758	112
Lakeside	600	80	63	10	1	754	113
Dunes City	600	80	63	10	1	754	114
Pacific City S.D.	600	80	56	10	1	747	115
Mapleton	600	80	54	10	2	746	116
Highway 101 S.D.	600	80	57	8	1	746	117
Florence	600	80	54	10	1	745	118
Turner	600	80	48	10	2	740	119
Aurora	600	80	45	10	2	737	120
Donald	600	50	76	10	1	737	121
Newberg (NW)	600	50	76	8	3	737	122
Canby	600	50	76	8	1	735	123
Albany (NE)	600	50	76	8	1	735	124
Tangent	600	50	76	8	1	735	125
Lapine	600	50	74	10	1	735	126

Number

Name of Segment

73

Owyhee River

74

Silver River

75

Donner and Blitzen River

76

Chewaucan River

77

Thomas Creek



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Portland

MORRIS K. CROTHERS
Salem

RONALD M. SOMERS
The Dalles

KESSLER R. CANNON
Director

To: Environmental Quality Commission
From: Director
Subject: Agenda Item No. E, June 27, 1975 EQC Meeting

Water Quality Program Strategy for Fiscal Year 1976. Staff Report and Public Comment.

Background

Section 106 of the Federal Water Pollution Control Act calls for submission of an Annual State Water Strategy statement to the Environmental Protection Agency as a part of the grant application for federal assistance to support the water pollution control program of the Department.

The first such strategy statement was completed two years ago for FY 1974, presented to the Commission in public meeting as a part of federal public participation requirements and submitted to EPA.

The second Annual State Water Strategy for FY 1975 was essentially an update and minor revision of the FY 1974 strategy and was presented to the Commission at its June 21, 1974 meeting.

This, the third Annual State Water Strategy for FY 76 is essentially a continuation of the prior strategies with a slight revision in priorities.

Strategy Contents

The strategy document contains a statement of general program strategy, a description of major program modules or functions and available resources, projected accomplishments for the next year and additional descriptive information.

The general program strategy lists the three most visible priorities as follows:

1. Construction of Sewage Treatment Facilities

The release in FY 76 of construction grant monies impounded in FY 73, 74 and 75 gives Oregon \$77.5 million for 75% grants for sewage works construction. The single most important task during FY 76 will be to get these funds committed and in use to meet priority sewage works construction needs.



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2. Permit Issuance and Compliance Assurance

The Department expects to essentially complete the first round of NPDES Permit issuance by July 1, 1975. Thus, during FY 76, permit program efforts will concentrate on a) prompt processing and issuance of new and renewal permits, b) prompt processing of requests for modification of permits, and c) inspection of sources and related followup to assure compliance.

3. Planning

Planning efforts will be focused in two areas during FY 76 as follows:

a) Basin Plans:

The goal of the Department is to complete plan drafts, hold public hearings in each basin and submit final proposals to the Environmental Quality Commission for adoption during FY 76.

b) 208 Planning Coordination:

The Department expects to have the Portland, Salem, Eugene and Medford metropolitan area COG's designated and funded with federal funds to do area-wide waste treatment management planning pursuant to Section 208 of PL 92-500. The Department will work closely with these agencies to coordinate efforts.

It should be noted that the strategy document available for review prior to this meeting contains the proposed Sewage Works Construction Grant Priority List for FY 76. Final consideration and adoption of the priority list is on the agenda for this meeting as a separate item. The final approved list will be incorporated into the final approved strategy document.

Director's Recommendation

Following receipt and consideration of public comments, it is recommended that the Commission approve the FY 1976 Annual State Water Strategy with such changes as may be necessary.



KESSLER R. CANNON
Director

HLS:ak
June 12, 1975

Attachments

June 12, 1975

PUBLIC NOTICE

Section 106 of the Federal Water Pollution Control Act calls for submission of an annual State Water Strategy to the Environmental Protection Agency by June 15 as part of the grant application for Federal assistance to support the water pollution control program of the Department of Environmental Quality.

This State Water Strategy statement concentrates on the priorities and activities of the forthcoming fiscal year: FY 1976. It includes an assessment of program priorities; a listing of principal municipal and industrial dischargers; a listing of the priorities for construction grants; the expected resources - both federal and non-federal - to be expended; and the anticipated outputs to be achieved.

The proposed strategy has been forwarded to the Environmental Protection Agency for review and comment.

The purpose of this notice is to invite public comments on the proposed strategy. Written comments are requested prior to June 27, 1975. Such comments should be addressed to:

Kessler R. Cannon, Director
Department of Environmental Quality
1234 S. W. Morrison Street
Portland, Oregon 97205

Comments may also be presented to the Environmental Quality Commission at its meeting to be held in Portland, Oregon on June 27, 1975, beginning at 9 AM in the Public Service Building, 2nd Floor Auditorium, 920 S.W. Sixth Avenue, Portland, Oregon.

PROPOSED

ANNUAL STATE WATER STRATEGY

FOR

FY 76

STATE OF OREGON

DEPARTMENT OF ENVIRONMENTAL QUALITY

INTRODUCTION

Section 106 of the Federal Water Pollution Control Act calls for submission of an annual State Water Strategy to the Environmental Protection Agency by June 15 as part of the grant application for federal assistance to support the water pollution control program of the Department of Environmental Quality.

This State Water Strategy statement concentrates on the priorities and activities of the forthcoming fiscal year: FY 1976. It includes an assessment of program priorities; a listing of principal municipal and industrial dischargers; a listing of the priorities for construction grants; the expected resources - both federal and non-federal - to be expended; and the anticipated outputs to be achieved.

Persons using this strategy statement are reminded that, while based on law, it is not the law, nor is it a regulation mandated by the law. It is a management tool that the Director of DEQ uses to establish annual program objectives and accomplishments, and allocate resources. It will further serve as a means of promoting awareness and encouraging public participation.

Comments on the Strategy are welcome. They should be addressed to:

Mr. Kessler R. Cannon
Director
Department of Environmental Quality
1234 S. W. Morrison Street
Portland, Oregon 97205

June 2, 1975

GENERAL ASSESSMENT OF WATER QUALITY PROBLEMS AND CAUSES

The Federal Water Pollution Control Act Amendments of 1972 call for the achievement of a general level of water quality, everywhere in the Nation, that will support fishing and swimming by 1983. In terms of existing water quality, Oregon has in most waters already achieved this goal - a decade or more ahead of the national target.

Point-source discharges in the State are reasonably controlled, with the treatment of such wastes being equal to or higher than EPA requirements in practically all areas. There still remains, however, substantial and widespread factors that significantly affect water quality. These include:

1. Point sources - improved controls are needed in many areas to correct localized problems, prevent deterioration of water quality, or achieve overall improvement in existing quality.
2. Non-point sources - the extent of pollution from diffuse sources, such as silviculture, agriculture, construction, mining and hydrologic modifications need to be defined.
3. Flow augmentation and regulation - the flows of many State streams are either severely depleted or completely dried up annually through over-appropriations, diversions, or impoundments.

Essentially all the remaining serious water quality problems in Oregon are associated with the inadequate streamflows. Such problems are not susceptible to being solved by more stringent treatment requirements, but require flow augmentation and management to serve a broad array of beneficial uses.

The Department has just completed preparation of a report on Water Quality in Oregon. One purpose of this report is to fulfill the requirements of Section 305(b) of PL 92-500. The primary purpose of the report, however, will be to provide for the public useful information on water quality and water quality control efforts in Oregon. The report will be available to the public as soon as it is printed. A pre printing draft will be available for inspection in DEQ offices.

GENERAL PROGRAM STRATEGY

In important respects, the FY 1976 Strategy constitutes a continuation of the Strategies for FY 1974 and FY 1975. The commitments made in FY 74 and FY 75 are retained, as they provide the basic objectives toward which the water quality program is directed. The theme of water pollution control in FY 76, therefore, is a continued dedication of effort to the basic construction grant, permit and planning outputs needed to maintain and preserve Oregon's water quality. The three most visible priorities in the water program will be:

1. Construction of Sewage Treatment Facilities

The release in FY 76 of construction grant monies impounded in FY 73, 74 and 75 gives Oregon \$77.5 million for 75% grants for sewage works construction. The single most important task during FY 76 will be to get these funds committed and in use to meet priority sewage works construction needs.

2. Permit Issuance and Compliance Assurance

The Department expects to essentially complete the first round of NPDES Permit issuance by July 1, 1975. Thus, during FY 76, permit program efforts will concentrate on a) prompt processing and issuance of new and renewal permits, b) prompt processing of requests for modification of permits, and c) inspection of sources and related followup to assure compliance.

3. Planning

Planning efforts will be focused in two areas during FY 76 as follows:

a) Basin Plans:

The goal of the Department is to complete plan drafts, hold public hearings in each basin and submit final proposals to the Environmental Quality Commission for adoption during FY 76.

b) 208 Planning Coordination:

The Department expects to have the Portland, Salem, Eugene and Medford metropolitan area COG's designated and funded with federal funds to do area-wide waste treatment management planning pursuant to Section 208 of PL 92-500. The Department will work closely with these agencies to coordinate efforts.

PROGRAM MODULE DESCRIPTION

The Department's water quality efforts are organized in the following manner to facilitate management and reporting:

Municipal Facilities Management

The Sewerage Works Construction Division of the Water Quality Program is responsible for all activities related to the construction and operation of sewerage facilities. These include pre-construction plan review, processing of Federal Construction Grant Applications, processing of state financial assistance requests, training of sewage treatment plant operators, and technical assistance to operators, cities and engineers.

Three positions are being shifted from permit related activities to this division to assist in processing of a record number of grant applications anticipated as a result of allocation to Oregon of \$77.5 million for FY 76.

Since the available dollars are more than double that received in any prior years, the Department expects possible project delays due to shortage of consulting engineers. The Department is assigning more manpower to the grant program to expedite paperwork and try to minimize project delays.

A total of 12.3 man years of effort is expected to be expended for municipal facilities management during FY 76.

Permit Issuance, Compliance Assurance and Enforcement

Oregon has had a statewide permit program in operation since January 1968. On September 26, 1973, EPA authorized DEQ to issue National Pollutant Discharge Elimination System (NPDES) permits pursuant to Section 402 of the Federal Water Pollution Control Act Amendments of 1972 (the "Act"). Under NPDES, permits are issued to all point-source dischargers, stating the limits of allowable discharge consistent with regulations adopted pursuant to the Act.

The Water Pollution Control Division of the Water Quality Program is responsible for coordination of all permit related functions. Regional office manpower performs a substantial portion of the permit related work including application review, permit drafting, field inspections, compliance assurance and necessary enforcement.

Future efforts will be devoted to issuance of permits for new sources, renewal of permits for existing sources, modification of permits where data support such modification and field work to assure compliance with the terms of permits.

The Department expects a significant number of permit modifications will be necessary to adjust compliance schedules where unavoidable delays are being encountered due to equipment delivery problems and financing problems including construction grant delays. Modification requests are also expected in cases where limits were placed in permits without adequate background data and monitoring after permit issuance provides support for permit modification.

A total of 36.8 man years of effort is expected to be expended for permit issuance, compliance assurance and enforcement during FY 76.

Water Quality Management and Planning

The Water Quality Program Development Division of the Water Quality Program is responsible for water quality planning activities as follows:

Basin Plans (303e):

The Department had hoped to complete drafting and adoption of basin plans during FY 75. Shifting of manpower to other critical projects

and delays in filling a vacant position has significantly delayed progress. The Department expects to fill the vacant planning position early in FY 76 and intends to complete the drafts of all basin plans and proceed to hearings in each basin during FY 76. Further, the goal of the Department will be to submit final proposed plans to the Environmental Quality Commission for consideration near the end of FY 76.

Area-wide Waste Treatment Management Plans (208):

As previously stated, such plans are expected to be underway in four areas of the State - Portland Urban Area, Salem Urban Area, Eugene Urban Area, and Medford Urban Area. The Department is assigning one man to coordinate DEQ activities with 208 agencies. The Department also expects to negotiate specific programs with 208 agencies for additional support efforts.

Non Point Sources:

Following completion of basin plans, the Department will plan and initiate such studies as may be necessary within the limits of available resources to evaluate priority non point source problems.

A total of 4.4 man years of effort is expected to be expended in planning activities during FY 76.

Data Acquisition, Analysis, Reporting

The Department's Laboratory Program provides data acquisition, analysis and reporting services for the Water Quality Program. Specific activities include:

- Collection and analysis of stream monitoring network samples.
- Storage, analysis and reporting of stream monitoring data.
- Analysis of effluent samples collected by regional office personnel.
- Evaluation of permittee analytical procedures.
- Planning and assistance in conduct of special studies.

A total of 13.2 man years of effort is expected to be expended for these activities during FY 76.

ADDITIONAL DESCRIPTIVE INFORMATION

The following attachments provide supporting information for this Annual Strategy Statement:

Allocation of Resources

Attachment A identifies the preliminary allocation of resources for FY 76 by program module. This allocation will be subject to revision following receipt and analysis of final budget information at the close of the current legislative session.

Output Estimates

Attachment B contains quarterly minimal work load and output estimates for program management use. The forms are designed by EPA and are to be used for submittal of state quarterly reports to EPA. EPA Region X will use similar forms to report their accomplishments and state accomplishments to EPA headquarters in Washington, D. C.

List of Principal Dischargers

Attachment C contains a list of designated "Major" or principal municipal and industrial dischargers. The number listed constitutes approximately 10% of the sources expected to be under NPDES permit. These sources are considered the most significant in terms of their potential adverse effect on water quality. As a result, they are to be subjected to more detailed annual inspection and evaluation.

Inventory of Lakes

EPA has required that an inventory of lakes be included in the annual strategy. This is included in Attachment D.

Proposed Construction Grant Priority List and Revised Priority Criteria

Attachment E contains the proposed FY 76 construction grant as well as the revised priority criteria. The priority list, when finally adopted, will be the key document for scheduling of staff efforts on the grant program.

PRELIMINARY
STATE WATER POLLUTION CONTROL PROGRAM RESOURCES

Program Element (Specific Definitions Below)	1. FY 76 gl06 Grant Funds	2. Non- Federal Funds	3. Total Budget	4. WPC Man Years	5. WPC Personnel Costs (Sub total of Col.3)
1. Compliance Assurance, Enforcement, Permits	\$238,200	\$349,800	\$633,000	36.8	\$398,000
2. Municipal Facilities Management (construction grants administration, operations & maintenance, training)	130,000	132,500	262,500	12.3	196,000
3. Data Acquisition, Reporting and Analysis	80,000	145,000	225,000	13.2	146,000
4. Water Quality Management, Planning & Non-Point Source Control (303, 208, 106, 305(b) & non-point sources)	70,000	24,500	94,500	4.4	112,000
5. Administration	92,000	98,000	190,000	-	-
6. Sub Total	655,200	749,800	1,405,000	66.7	852,000
7. Other--Est. Salary Adjustment Exist. Positions	51,000	60,000	111,000	-	111,000
8. Total	706,200	809,800	1,516,000	-	963,000

NOTE

Pursuant to legislative instruction, the Department is requesting allocation of the \$138,531 increased grant funds per EPA letter of October 22, 1974 for use as follows to sustain the current level of program:

\$51,000 to fund salary adjustments in FY 76.

\$87,531 to fund salary adjustments in FY 77.

DEQ is required to budget for salaries based on July 1, 1974 actual levels. The legislature then approves an adjustment package which includes appropriated money for positions paid from state funds and authorization to spend additional money from fees or federal funds for positions paid from fees or federal funds. The legislature is expected to approve a salary adjustment package which includes approximately 13% during FY 76 and an additional 11% in FY 77. Thus if increased federal funds are not made available for salary adjustments for federal-funded positions, the Department will have to reduce the staff level to effect sufficient savings to fund increases for the remaining positions.

OUTPUT ACCOMPLISHMENT PLAN AND REPORT:

State Oregon Media: Water Report Date _____

START LEVEL 6/30/75 1ST QUARTER 9/30/75 2ND QUARTER 12/31/75 3RD QUARTER 3/31/76 4TH QUARTER 6/30/76

Program Element/Output Permits, Compliance Assurance & Enforcement

Plnd. Act. Plnd. Act. Plnd. Act. Plnd. Act. Plnd. Act.

(Estimates only -- all applications must be acted on in a timely manner)

Permits

	Plnd.	Act.	Plnd.	Act.	Plnd.	Act.	Plnd.	Act.
# of municipal permits issued	<u>351</u>		<u>1</u>		<u>1</u>		<u>1</u>	
# of major municipal permits modified or reissued			<u>5</u>		<u>6</u>		<u>4</u>	
# of minor municipal permits modified or reissued			<u>20</u>		<u>20</u>		<u>25</u>	<u>50</u>
# of Non-municipal permits issued	<u>434</u>		<u>4</u>		<u>2</u>		<u>2</u>	
# of major non-municipal permits modified or reissued			<u>8</u>		<u>7</u>		<u>6</u>	
# of minor non-Municipal permits modified or reissued			<u>20</u>		<u>15</u>		<u>20</u>	<u>20</u>

*Plnd. = Planned
Act. = Actual

OUTPUT ACCOMPLISHMENT PLAN AND REPORT:

State	Oregon		Media: Water		Report Date	
	START LEVEL 6/30/75	1ST QUARTER 9/30/75	2ND QUARTER 12/31/75	3RD QUARTER 3/31/76	4TH QUARTER 6/30/76	
Program Element/Output	PInd. Act.	PInd. Act.	PInd. Act.	PInd. Act.	PInd. Act.	

Permits, Compliance Assurance and Enforcement (con't)

Estimates only - No data or experience available to base projections on.

Compliance Assurance %

Major municipal permittees
in compliance with

-Schedules	_____	_____	80	_____	82	_____	85	_____	90	_____
-Effluent Limits	_____	_____	80	_____	82	_____	85	_____	90	_____

Major non-municipal permittees
in compliance with

-Schedules	_____	_____	80	_____	82	_____	85	_____	90	_____
-Effluent Limits	_____	_____	80	_____	82	_____	85	_____	90	_____

Minor municipal permittees in
compliance with

-Schedules	_____	_____	80	_____	82	_____	85	_____	90	_____
=Effluent Limits	_____	_____	80	_____	82	_____	85	_____	90	_____

Minor non-municipal permittees in
compliance with

-Schedules	_____	_____	80	_____	82	_____	85	_____	90	_____
Effluent Limits	_____	_____	80	_____	82	_____	85	_____	90	_____

*PInd. = Planned
Act. = Actual

B
1
2

OUTPUT ACCOMPLISHMENT PLAN AND REPORT:

State Oregon Media: Water Report Date _____

START LEVEL 6/30/75 1ST QUARTER 9/30/75 2ND QUARTER 12/31/75 3RD QUARTER 3/31/76 4TH QUARTER 6/30/76

Program Element/Output Plnd. Act. Plnd. Act. Plnd. Act. Plnd. Act. Plnd. Act.

Permits, Compliance Assurance and Enforcement (con't)

Enforcement (Activity Indicator*)

Formal enforcement actions

- Major municipal permittees.	<u>N/A</u>	_____	<u>N/A</u>	_____	<u>N/A</u>	_____	<u>N/A</u>	_____	<u>N/A</u>	_____
- Major non-municipal permittees	<u>N/A</u>	_____	<u>N/A</u>	_____	<u>N/A</u>	_____	<u>N/A</u>	_____	<u>N/A</u>	_____
- Minor municipal permittees	<u>N/A</u>	_____	<u>N/A</u>	_____	<u>N/A</u>	_____	<u>N/A</u>	_____	<u>N/A</u>	_____
- Minor non-municipal permittees	<u>N/A</u>	_____	<u>N/A</u>	_____	<u>N/A</u>	_____	<u>N/A</u>	_____	<u>N/A</u>	_____

B - 4

*Suggested level of enforcement to obtain committed percent of compliance. This is not a commitment.

*Plnd. = Planned
Act. = Actual

OUTPUT ACCOMPLISHMENT PLAN AND REPORT:

Program Element/Output	State <u>Oregon</u>		Media: <u>Water</u>				Report Date			
	START LEVEL		1ST QUARTER		2ND QUARTER		3RD QUARTER		4TH QUARTER	
	Plnd.	Act.	Plnd.	Act.	Plnd.	Act.	Plnd.	Act.	Plnd.	Act.
<u>Municipal Facilities Management</u>										
Construction Grants Awards										
# of Step 1 grants awarded			<u>38</u>		<u>6</u>		<u>1</u>			
# of Step 2 grants awarded	<u>3</u>		<u>26</u>		<u>18</u>		<u>31</u>		<u>15</u>	
# of Step 3 grants awarded	<u>6</u>		<u>17</u>		<u>7</u>		<u>15</u>		<u>24</u>	
Delegation										
Plans & Specification review assumed	<u>1</u>									
Bid-tabulation assumed										
O&M Manual review assumed	<u>1</u>									
Change Order review assumed	<u>1</u>									
Interim inspection assumed										
Management										
# of preapplication conferences conducted			<u>38</u>		<u>6</u>		<u>1</u>			
# of reviews of projects against environmental matrix										
# of preconstruction conferences			<u>17</u>		<u>7</u>		<u>15</u>		<u>24</u>	

*Plnd. = Planned
Act. = Actual

B-1-5

START LEVEL 6/30/75 1ST QUARTER 9/30/75 2ND QUARTER 12/31/75 3RD QUARTER 3/31/76 4TH QUARTER 6/30/76

Program Element/Output Plnd. Act. Plnd. Act. Plnd. Act. Plnd. Act. Plnd. Act.

Municipal Facilities Management (con't)

Management Process (con't)

of interim inspections on all projects over \$3 million held

of projects completed on time

Waste Water Treatment Facilities

of O&M inspections conducted (form 7500)

_____ 5 _____ 8 _____ 6 _____ 6 _____

of technical assistance sessions at smaller plants

_____ 3 _____ 3 _____ 3 _____ 3 _____

Training:

State wastewater operator training strategy description submitted

_____ 1 _____

of plants not meeting discharge permit requirements where training has been identified as necessary to achieve compliance

N/A _____ N/A _____ N/A _____ N/A _____ N/A _____

*Plnd. = Planned
Act. = Actual

OUTPUT ACCOMPLISHMENT PLAN AND REPORT:

State Oregon Media: WATER Report Date _____

START LEVEL: 6/30/75 1ST QUARTER: 9/20/75 2ND QUARTER: 12/31/75 3RD QUARTER: 3/31/76 4TH QUARTER: 6/30/76

Program Element/Output Plnd. Act. Plnd. Act. Plnd. Act. Plnd. Act. Plnd. Act.

DATA ACQUISITION-EVALUATION REPORTING

State Monitoring Strategy submitted by State Director to Regional Administrator by March 1, 1976

_____ x _____

NWQSS-State Primary Monitoring Network approved

_____ x _____

Data Handling, Analysis and Transmittal Agreement completed by December 31, 1975.

_____ x _____

Interim Primary Network Stations sampled, analyzed and data transmitted to EPA

_____ 30 _____

July 1, 1975 - NWQSS-State Approved Network

NWQSS - State Primary Network Stations sampled, analyzed and data transmitted to EPA

_____ 30 _____ 30 _____ 30 _____

Special Studies completed (attach study list)

_____ 0 _____ 0 _____ 0 _____ 0 _____

B-7

*Plnd. = Planned
Act. = Actual

OUTPUT ACCOMPLISHMENT PLAN AND REPORT:

State	Oregon		Media: Water		Report Date	
	START LEVEL 6/30/75	1ST QUARTER 9/30/75	2ND QUARTER 12/31/75	3RD QUARTER 3/31/76	4TH QUARTER 6/30/76	
Program Element/Output	PInd.	Act.	PInd.	Act.	PInd.	Act.

Planning and Management

208 Planning

of agreements ^{to be} negotiated with area-wide 208 agencies for State monitoring coordination, and tech. assistance

---	---	4	---	---	---	---
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303(e) Basin Planning

of substantially completed Phase I Basin plans submitted to EPA

---	---	---	---	---	---	20
-----	-----	-----	-----	-----	-----	----

of basins with Phase II planning substantially completed

---	---	---	---	---	---	---
-----	-----	-----	-----	-----	-----	-----

of 303(e) basin plans adopted & submitted for EPA approval

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-----	-----	-----	-----	-----	-----	-----

*PInd. = Planned
Act. = Actual

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1
8

OUTPUT ACCOMPLISHMENT PLAN AND REPORT:

State	Oregon		Media: Water		Report Date	
	START LEVEL 6/20/75	1ST QUARTER 9/30/75	2ND QUARTER 12/31/75	3RD QUARTER 3/31/76	4TH QUARTER 6/30/76	
Program Element/Output	Plnd.	Act.	Plnd.	Act.	Plnd.	Act.

Non-Point Source Control

State NPS Strategy Submitted

of intensive Surveys of non-point source problem completed

of NPS categories with problem assessments completed

Complete prioritization of categories

of categories for which BPT's have been developed

of categories for which management/institutional/regulatory programs have been recommended for approval

_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

NOTE: Significant progress toward basin plan adoption necessary before efforts in this direction can be made.

*Plnd. = Planned
Act. = Actual

"MAJOR" MUNICIPAL DISCHARGERS

<u>BASIN NAME</u>	<u>DISCHARGER</u> (Name/NPDES#)	
Willamette	Albany, City of	OR-002339-6
Rogue	Ashland, City of	OR-002625-5
North Coast - Lower Columbia	Astoria, City of	OR-002756-1
Tualatin	Beaverton, City of	OR-002663-8
Willamette	Clackamas, Co. Service Dist. #1	OR-002622-1
Willamette	Corvallis, City of	OR-002636-1
Willamette	Cottage Grove, City of	OR-002055-9
Willamette	Eugene, City of	OR-002620-4
Rogue	Grants Pass, City of	OR-002884-3
Columbia	Gresham, City of	OR-002613-1
Tualatin	Hillsboro, City of (West Side)	OR-002334-5
Tualatin	Hillsboro City of (Rock Creek)	OR-002335-3
Columbia	Hood River, City of	OR-002078-83
Klamath	Klamath Falls, City of	OR-002630-1
Grande Ronde	La Grande, City of	OR-002046-0
Willamette	McMinnville, City of	OR-002619-1
Rogue	Medford, City of	OR-002626-3
Willamette	Multnomah County (Inverness)	OR-002627-1

"MAJOR" MUNICIPAL DISCHARGERS

BASIN NAME

DISCHARGER

(Name/NPDES#)

Willamette	Newburg, City of	OR-002025-7
Tualatin	Oak Lodge, S.D.	OR-002614-0
Willamette	Oregon City, City of	OR-002829-1
Umatilla	Pendleton, City of	OR-002639-5
Willamette	Portland, City of (Columbia Blvd.)	OR-002690-5
Willamette	Portland, City of (Tryon Creek)	OR-002689-1
Umpqua	Roseburg, City of	OR-002258-6
Willamette	Salem, City of	OR-002640-9
Klamath	South Suburban S.D.	OR-002387-6
Willamette	Springfield Utility Board	OR-002632-8
Columbia	St. Helens, City of	OR-002083-4
Columbia	The Dalles, City of	OR-002088-5
Tualatin	USA (Aloha)	OR-002017-6
Tualatin	USA (Durahm)	OR-002811-8
Tualatin	USA (Fanno Creek)	OR-002013-3
Tualatin	USA (Forest Grove)	OR-002016-8
Tualatin	USA (Metzger)	OR-002018-4
Tualatin	USA (Sherwood)	OR-002014-1

"MAJOR" MUNICIPAL DISCHARGERS

BASIN NAME

DISCHARGER

(Name/NPDES#)

Tualatin
Willamette

U.S.A. (Sunset Valley)
Woodburn

OR-002009-5

OR-002000-1

"MAJOR" INDUSTRIAL DISCHARGERS

BASIN NAME

DISCHARGER

(Name/NPDES#)

Willamette	Publishers Paper, Newberg	OR-000055-8
Willamette	Publishers Paper, Oregon City	OR-000056-6
Columbia	Reichold Chemicals, St. Helens	OR-000163-5
Columbia	Reynolds Metals, Troutdale	OR-000006-0
Willamette	Rhodia, Inc.	OR-000174-1
Columbia	Stadelman Fruit, The Dalles	OR-000011-6
Tualatin	Tektronics, Inc., Beaverton	OR-000158-9
Willamette	Teledyne Wah Chang, Albany	OR-000111-2
Columbia	The Dalles Cherry Growers	OR-000073-6
North Coast	Tillamook Creamery	OR-000014-1
Hood River	U. S. Plywood, Dee	OR-000186-4
Willamette	Western Kraft, Albany	OR-000044-2
Klamath	Weyerhaeuser, Klamath Falls	OR-000254-2
McKenzie	Weyerhaeuser, Springfield	OR-000051-5

"MAJOR" INDUSTRIAL DISCHARGERS

BASIN NAME

DISCHARGER
(Name/NPDES#)

Snake	Amalgamated Sugar	OR-000252-6
Willamette	American Can, Halsey	OR-000107-4
Willamette	Boise Cascade, Salem	OR-000084-1
Santiam	Crown Zellerbach, Lebanon	OR-000081-7
Columbia	Crown Zellerbach, Wauna	OR-000079-5
Willamette	Crown Zellerbach, West Linn	OR-000078-7
Willamette	Evans Products, Corvallis	OR-000029-9
Tualatin	Forest Fiber Products	OR-000129-5
Mid Coast	Georgia Pacific, Toledo	OR-000134-1
Umpqua	Hanna Mining & Nickel	OR-000162-7
Mid Coast	International Paper, Gardiner	OR-000022-1
Columbia	Kaiser Gypsum, St. Helens	OR-000157-1
Columbia	Martin Marietta Aluminum	OR-000170-8
South Coast	Menasha Corporation	OR-000211-9
Snake	Ore-Ida Foods	OR-000240-2
Willamette	Oregon Metallurgical	OR-000171-6
Willamette	Penwalt Corporation	OR-000159-7
Columbia	P.G.E. - Trogan	OR-002345-1

Explanatory Notes

Revised List of Major (Principal) Discharger

DELETED

ADDED

Bandon, City of
Bear Creek Valley S.A. (White City)
Boise Cascade, St. Helens
Coos Bay Plan #1
Coos Bay Plant #2
Crown Zellerbach, N.Portland
Milwaukie, City of
Newport, City of
North Bend, City of

Grants Pass, City of
Stadelman Fruit, The Dalles
Tektronics (Ind), Beaverton
The Dalles Cherry Growers
Tillamook Creamery

CRITERIA

INDUSTRIAL

DOMESTIC

1. Large BOD loads
2. Large metals facilities
3. Significant toxic discharges
4. Treatment system which, if not operated properly, will have a significant adverse impact on receiving stream.

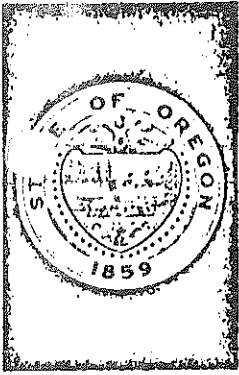
1. Serving more than 10,000 people
2. Serving industries which have a significant impact on the treatment system

INVENTORY OF LAKES

TOTAL NUMBER OF PUBLICLY OWNED FRESH WATER LAKES	Unknown
TOTAL NUMBER OF SIGNIFICANT LAKES	130
NUMBER OF SIGNIFICANT LAKES EXHIBITING HEAVY ENRICHMENT	2
NUMBER OF SIGNIFICANT LAKES EXHIBITING MODERATE ENRICHMENT	54
NUMBER OF SIGNIFICANT LAKES EXHIBITING NO NOTICEABLE ENRICHMENT	25
NUMBER OF SIGNIFICANT LAKES FOR WHICH EUTROPHICATION STATUS IS NOT KNOWN	49
 TOTAL AREA OF PUBLICLY OWNED FRESH WATER LAKES	 EST. 250,000 acres
TOTAL AREA OF SIGNIFICANT LAKES	EST. 230,000 acres
AREA OF SIGNIFICANT LAKES EXHIBITING HEAVY AND MODERATE NATURAL ENRICHMENT	EST. 170,000 acres
AREA OF SIGNIFICANT LAKES EXHIBITING NO NOTICEABLE ENRICHMENT	EST. 60,000 acres
AREA OF SIGNIFICANT LAKES FOR WHICH EUTROPHICATION STATUS IS NOT KNOWN	EST. 20,000 acres

INVENTORY OF LAKES

TOTAL NUMBER OF PUBLICLY OWNED FRESH WATER LAKES	Unknown
TOTAL NUMBER OF SIGNIFICANT LAKES	130
NUMBER OF SIGNIFICANT LAKES EXHIBITING HEAVY ENRICHMENT	2
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AREA OF SIGNIFICANT LAKES FOR WHICH EUTROPHICATION STATUS IS NOT KNOWN	EST. 20,000 acres



DEPARTMENT OF ENVIRONMENTAL QUALITY

1234 S.W. MORRISON STREET • PORTLAND, ORE. 97205 • Telephone (503) 229-5301

ROBERT W. STRAUB
GOVERNOR

INFORMATIONAL MEMORANDUM & NOTICE OF PUBLIC HEARING SEWERAGE WORKS CONSTRUCTION GRANTS PRIORITY LIST FOR FY 1976

KESSLER R. CANNON
Director

June 20, 1975
10:00 A.M.

Public Service Building
920 S. W. Fifth Avenue - 2nd Floor Auditorium
Portland, Oregon

Pursuant to the requirements of Public Law 92-500 CFR 35.915(f) and 35.556, a hearing will be held on June 20, 1975 for the purposes of obtaining testimony relevant to the Sewerage Works Construction Grant Priority List included herein. At its meeting on April 25, 1975, the Environmental Quality Commission advised the staff to utilize the priority criteria presented at that meeting and to develop a list of sewerage works projects which would most efficiently use available federal grant funds.

The criteria, enclosed with explanatory memoranda, most specifically reflects national concerns of "...the severity of pollution problems, the population affected, the need for preservation of high quality waters and national priorities as well as total funds available, project and treatment works sequence and additional factors established by the State..." Due to the necessity for stressing national concern, certain of the previous year's projects have been reduced in relative ranking. These include predominately projects not defined by a specific water pollution problem but facing the need for providing sewers in urban or urbanizing areas where population densities have rendered subsurface sewage disposal unsatisfactory. Such situations are critical to those directly involved but the federal emphasis on documented and existing major polluting discharges affords less than desirable program flexibility.

The hearing is called for permitting public participation in the project ranking procedure. Federal regulations require that the list receive such scrutiny. The Department of Environmental Quality also wishes to obtain relevant comment on the Priority Criteria so as to ensure that the foundation for the procedures is firmly based.

Included in this packet are the following:

1. A list of projects in priority order with costs and tentative funding sequence assigned.
2. A list of projects showing the priority point assignments and totals.
3. A copy of agenda Item No. E, April 25, 1975 EQC Meeting.

The results of the hearing will be presented to the EQC at its regular meeting on June 27, 1975. At that time, the Commission will be asked to approve, reject or modify the list as presented.

Your cooperation is requested to ensure that the Department's programs for expeditious and efficient handling of public funds may be fairly and equitably administered.

KESSLER R. CANNON
Director

DEPARTMENT OF ENVIRONMENTAL QUALITY

PRIORITY LIST

Fiscal Year 1976

The list attached is a ranking of projects in numerical sequence in accordance with the point system developed by the Department and approved by the Environmental Quality Commission.

The funding allocation to Oregon by the Environmental Protection Agency is \$77,582,900. Increasing this figure by the amount of unobligated 75 FY funds and decreasing it by FY 75 project cost overruns and reserve requirements results in a funding availability for obligation under the proposed project listing of approximately \$77,000,000. This permits the inclusion of projects 1 through 129 within the current funding limitations.

Since the Environmental Quality Commission has the authority to modify the list and the criteria and EPA approval and public acceptance are requisites for use, a specific cut-off project has not been determined at this time. This will be done following the acceptance and approval of the list, and the affected municipalities will be notified.

Project Number	Priority	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
489	23	Hillsboro-Irrigation	STP #1	100	3	11	86	U	08-75	10R	12-75	65	75	28,912				
403	24	Long Creek	STP	200	6	22	176	C			10-75	150	150	29,062				
485-01	25	USA (Rock Creek)	STP	25,199	378	1,512	23,309	C	06-75	1,890R	06-75	18,899	8,000*	37,062	10-76	10,899**	41,800	
341	26	Portland (Tryon)	STP	5,500	165	605	4,730	C			08-75	4,125R	4,125	41,187				
490	27	Harrisburg	STP	375	11	41	323	07-75	8	01-76	31	06-76	242	281	41,468			
485-02	28	USA (Rock Creek)	INT	4,500	135	495	3,870	C			12-75	3,375R	3,375	44,843				
452	29	Monmouth-Independence	STP	800	24	88	688	U	10-75	84	08-76	516	600	45,443				
454	30	Eugene-Springfield	STP	15,000	225	846	13,929	U	01-76	803R			803	46,246	10-76	10,446	52,246	
458	31	Corvallis Airport	STP or INT	500	15	55	430	U	09-75	52R	05-76	323	375	46,621				
491	32	USA (Lower Tualatin)	INT	600	18	66	516	U	03-76	63	08-76	387	450	47,071				
492	33	USA (Upper Tualatin)	INT	2,650	45	160	2,445	U	04-76	153	09-76	1,834	1,987	49,058				
493	34	Tri-City - County	Reg. STP	7,500	112	825	6,563	U	01-76	703R			703	49,761	10-76	4,922	57,168	
494-495	35	Newberg-Dundee	Reg. STP	1,200	36	132	1,032	07-75	27	02-76	99		126	49,887	10-76	774	57,942	
461	36	Clackamas Co.S.D. #1	INT	630	18	69	543	U			65R	07-75	407	472	50,359			
496	37	Junction City	STP Imp.	350	10	38	302	07-75	7	12-76	29		36	50,395	04-77	226	58,168	
497	38	Eugene Airport	STP Imp.	200	6	22	172	01-76	4	07-76	17		21	50,416	01-77	129	58,297	
374	39	Maupin	STP Imp.	235	7	25	203	U	10-75	24R	06-76	152	176	50,592				
474	40	Eugene (Eastside)	INT	4,500	135	495	3,870	U	01-76	472R			472	51,064	01-77	2,902	61,199	
459	41	Corvallis Mobile Park	INT	700	21	77	602								06-77	525	61,724	
434	42	Glendale	STP Imp.	800	24	88	688	U	09-75	84R	03-76	516	600	51,664				
436	43	Sutherlin	STP Imp.	2,290	23	252	2,015	U	09-75	206R	03-76	1,511	1,717	53,381				
429	44	Eagle Point	STP Imp.	175	5	19	151	U	01-76	18R	07-76	113	131	53,512				
413	45	Gold Hill	STP Imp.	375	11	41	323	5	8	03-76	31	09-76	242	281	53,793			

*Phase I

**Phase II

Project Number	Priority	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
423	46	Cave Junction	STP Imp.	300	9	33	258	09-75	7	03-76	25	09-76	193	225	54,018			
424	47	Boardman	STP Imp.	750	22	82	646	C		U		09-75	562R	562	54,580			
498	48	Jacksonville	INT	300	9	33	258	U		08-75	31R	05-76	194	225	54,805			
499	49	Prairie City	STP, INT	330	10	36	284	C		U		07-75	247R	247	55,052			
342	50	Portland (SE Relieving)	INT	3,500	105	385	3,010	U		U		10-75	2,625R	2,625	57,677			
500	51	Portland (Umatilla)	INT	288	8	31	249	U		U		10-75	216R	216	57,893			
475	52	LaGrande-Island City	STP Imp., INT	900	27	99	774	U		09-75	94R	06-76	581	675	58,568			
472	53	Elgin	STP Imp.	85	3	9	73	09-75	2	04-76	7			9	58,577	10-76	54	61,778
501	54	Corvallis-Crescent Vly.	INT	1,100	33	121	946	U		08-75	115R	03-76	710	825	59,402			
502	55	Hammond	INT	400	12	44	344	10-75	9	04-76	33	09-76	258	300	59,702			
466	56	Port of Tillamook Bay	INT	600	18	66	516	U		10-75	63R	05-76	387	450	60,152			
503	57	Seaside	STP Imp.	2,000	60	220	1,720	09-75	45	05-76	165			210	60,362	10-76	1,290	63,068
504	58	Wheeler	INT	400	12	44	344	U		C		09-75	300R	300	60,662			
427	59	Aumsville	STP Imp.	25	1	3	21									10-76	19	63,087
404	60	Yamhill	STP Imp.	100	3	11	86	08-75	2	01-76	8	06-76	65	75	60,737			
505	61	Tillamook City	STP Imp.	600	18	66	516	U		08-75	63R	06-76	387	450	61,187			
430	62	Dayton	STP Imp.	290	8	32	250	07-75	6	12-75	24	06-76	187	217	61,404			
506-507	63	Sheridan-Millamina	STP Imp., INT	300	9	33	258	07-75	7	05-76	25		32	61,436	05-77	193	63,280	
508	64	Amity	STP Imp.	200	6	22	172	09-75	4	07-76	17		21	61,457	06-77	129	63,409	
444	65	Molalla	STP Exp.	300	9	33	258	08-75	7	12-75	25	07-76	193	225	61,682			
509-476	66	Woodburn-Gervais	STP Imp., INT	800	24	88	688	07-75	18	04-76	66		84	61,766	03-77	516	63,925	
446	67	Lebanon	STP Imp.	1,500	45	165	1,290	U		09-75	157R	06-76	968	1,125	62,891			
273	68	Rockaway	STP Imp.	300	9	33	258	U		07-75	31R	04-76	194	225	63,116			

Project Number	Priority Number	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
510	69	Jefferson	STP, INT	400	12	44	344	07-75	9	04-76	33		42	63,158	03-77	258	64,183	
511	70	Cannon Beach	STP Imp.	300	9	33	258	07-75	7	02-76	25		32	63,190	10-76	193	64,376	
450	71	Lincoln City	Phase I	200	6	22	172	C		09-75	21R	04-76	129	150			63,340	
512	72	Cottage Grove	STP Imp.	1,000	30	110	860	U		02-76	105R		105	63,445	10-76	645	65,021	
513	73	Creswell	STP Imp.	400	12	44	344	08-75	9	02-76	33		42	63,487	10-76	258	65,279	
514	74	Oakridge	STP Imp.	300	9	33	258	09-75	7	04-76	25		32	63,519	10-76	193	65,472	
515	75	Scio	STP Imp.	150	4	16	130	08-75	3	01-76	12		15	63,534	11-76	97	65,569	
428	76	Brownsville	STP Imp.	300	9	33	258	U		09-75	31R	03-76	194	225			63,759	
385	77	Veneta	STP Exp.	400	12	44	344	U		U		10-75	300R	300			64,059	
441	78	Govt. Camp S.D.	STP Imp.	600	18	66	516	U		U		07-75	450R	450			64,509	
516	79	K. Falls Reg. (Co.)	STP	2,200	66	242	1,892	07-75	50				50	64,559	06-77	1,600	67,169	
517	80	Hermiston	STP	300	9	33	258	U		09-75	31R	04-76	194	225			64,784	
373	81	Chiloquin	STP Imp.	600	18	66	516	C		06-75	63R	06-76	387	450			65,234	
518	82	Ontario	STP Imp.	300	9	33	258	U		07-75	31R	06-76	194	225			65,459	
422	83	Hines	Cl ₂	30	1	3	26	U		U		06-75	22R	22			65,481	
361	84	Huntington	Cl ₂	30	1	3	26	C		U		05-75	22R	22			65,503	
431	85	Baker	STP Imp.	150	5	16	129	U		11-75	16R	06-76	97	112			65,615	
519	86	Joseph	STP Imp.	600	18	66	516	08-75	13	04-76	50		63	65,678	12-76	387	67,556	
554	87	Enterprise	STP Imp.	540	16	59	464	08-75	12				12	65,690	06-77	392	67,948	
473	88	Dufur	STP Imp.	75	2	8	65	09-75	2	02-76	6		8	65,698	10-76	48	67,953	
440	89	Lake Oswego-Willamette	INT	870	26	95	749	C		U		06-75	652R	652			66,350	
404	90	Labish Village	INT	127	4	14	109	C		C		07-75	95R	95			66,445	
520	91	North Bend	STP Imp.	250	7	27	216			07-75	26R	12-75	161	187			66,632	

Project Number	Priority	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
521	92	North Albany S.D.	INT	1,800	30	126	1,644	C		07-75	117R		117	66,749	10-76	1,233	69,229	
522	93	North Plains	INT	300	9	33	258	09-75	7	02-76	24		31	66,780	12-76	193	69,422	
523	94	St. Paul	STP, INT	450	13	49	388	U		08-75	47R	03-76	290	67,117				
524	95	L.Oswego (Harvey Way)	INT	200	6	22	172	U		08-75	21R	01-76	129	67,267				
525	96	L.Oswego (Terrace)	INT	100	3	11	86	U		08-75	10R	01-76	65	67,342				
463	97	L.Oswego (Evergreen)	INT	300	9	33	258	U		08-75	31R	01-76	194	67,567				
462	98	L.Oswego (Lakeview)	INT	200	6	22	172	U		08-75	21R	01-76	129	67,717				
526	99	Clackamas County Rhododendron-Weisches	STP Imp.	400	12	44	344	U		04-75	42R		42	67,759	10-76	258	69,680	
470	100	Coburg	STP, INT	1,000	30	110	860	08-75	22	02-76	83	08-76	645	68,509				
393	101	Charleston-Barview S.D.	INT	1,100	33	121	946	U		U		06-75	825R	69,334				
435	102	Glide-Idlelyd	STP, INT	1,200	36	132	1,032	U		12-75	126R		126	69,460	12-76	774	70,454	
313	103	West Linn (L.Tualatin)	INT	266	8	29	229	U		08-75	28R	02-76	172	69,660				
455	104	Shady Cove	STP, INT	800	24	88	688	U		12-75	84R	05-76	516	70,260				
456	105	Merlin-Col. Valley	STP, INT	1,000	30	110	860	08-75	22	01-76	83	06-76	645	71,010				
527	106	BCVSA (Westside)	INT	225	6	25	194	09-75	5	01-76	19	06-76	145	71,179				
437	107	Wauna-Westport	SPT, INT	1,000	30	110	860	07-75	22	02-76	83	08-76	645	71,929				
426	108	Mult.Co. (Inverness #8)	INT	500	15	55	430	U		U		03-76	375R	72,304				
465	109	Gresham (Ruby Junction)	INT	1,500	45	165	1,290	09-75	33	02-76	124		157	72,461	10-76	967	71,421	
356	110	Columbia City	INT	200	6	22	172	08-75	4	02-76	16		20	72,481	10-76	129	71,550	
528	111	Cove	STP Imp.	800	24	88	688	08-75	18	02-76	66		84	72,565	01-77	516	72,066	
529	112	Biggs Junction	INT	200	6	22	172	07-76	4				4	72,569	11-76	145	72,211	
530	113	Lakeside	STP, INT	1,000	30	110	860	07-75	22	01-76	83		105	72,674	10-76	645	72,856	

Project Number	Priority Number	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
531	114	Dunes City	STP, INT	600	18	66	516	07-75	13	09-76	50		63	72,737	03-77	387	73,243	
417	115	Pacific City S.D.	STP, INT	500	15	55	430	07-75	11	01-76	41	07-76	323	375	73,112			
442	116	Mapleton	STP, INT	600	18	66	516	U		06-76	63R		63	73,175	12-76	387	73,630	
532	117	Highway 101 S.D.	INT	200	6	22	172	10-75	4	05-76	17		21	73,196	12-76	129	73,759	
533	118	Florence	STP Imp.	70	2	8	60	08-75	1	02-76	6		7	73,203	10-76	45	73,804	
443	119	Turner	STP, INT	800	24	88	688	U		10-75	84R	06-76	516	600	73,803			
448	120	Aurora	STP, INT	800	24	88	688	07-75	18	11-75	66		84	73,887	10-76	516	74,320	
445	121	Donald	STP, INT	400	12	44	344	U		10-75	42R		42	73,929	10-76	258	74,578	
534	122	Newberg (Northwest)	INT	170	5	18	147	U		10-75	17R	03-76	110	127	74,056			
535	123	Canby	INT	200	6	22	172	U		10-75	21R	03-76	129	150	74,206			
460	124	Albany (Northeast)	INT	1,100	33	121	946	U		11-75	115R		115	74,321	10-76	709	75,287	
471	125	Tangent	INT	600	18	66	516	08-75	13	01-76	50		63	74,384	10-76	387	75,674	
536	126	Lapine	STP, INT	300	9	33	258	10-75	6	03-76	25		31	74,415	02-77	193	75,867	
447	127	Mill City	STP, INT	1,000	30	110	860	10-75	22	05-76	83		105	74,520	12-76	645	76,512	
412	128	Butte Falls	STP, INT	500	15	55	430	U		08-75	52R	05-76	323	375	74,895			
451	129	Twin Rocks S.D. (Barview)	INT	200	6	22	172	U		10-75	21R	04-76	129	150	75,045			
537	130	S.W. Lincoln Co. S.D.	STP Imp., INT	2,200	66	242	1,892	U		10-75	231R	09-76	1,419	1,650	76,695			
538	131	Roads End S.D.	INT	300	9	33	258	08-75	7	12-75	25	06-76	193	225	76,920			
539	132	St. Helens	STP Imp., INT	240	7	26	207	08-75	5	02-76	20		25	76,945	10-76	155	76,667	
540	133	Merrill	STP Imp.	100	3	11	86	08-75	2	02-76	8		10	76,955	03-77	64	76,739	
469	134	Modoc Point	STP, INT	280	8	30	242	10-75	6	06-76	23		29	76,984	01-77	181	76,912	
541	135	Sisters	STP, INT	400	12	44	344	09-75	9	02-76	33		42	77,026	02-77	258	77,170	
542		Carmel-Foulweather S.D.	STP, INT	1,500	45	165	1,290	7-75	33	02-76	124		157	77,183	10-76	967	78,137	

Project Number C-410---	Priority Number	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
543	137	Bay-to-Bay S.D.	STP, INT	1,800	54	198	1,548	U		11-75	189R		189	77,372	10-76	1,161	79,298	
449	138	Falls City	STP, INT	500	15	55	430	09-75	11	03-76	41		52	77,424	10-76	322	79,620	
453	139	Bonanza	STP, INT	600	18	66	516	07-75	13	01-76	50		63	77,487	10-76	387	80,007	
544	140	Adrian	STP, INT	180	5	20	155	U		01-76	19R		19	77,506	11-76	116	80,123	
545	141	Prineville (Laughlin-Melrose)	INT	635	19	70	546	U		10-75	66R	05-76	410	476	77,982			
546	142	Crescent	STP, INT	300	9	33	258	08-75	6	04-76	25		31	78,013	03-77	193	80,316	
547	143	Ukiah	STP Imp.	800	24	88	688	U		02-76	84R		84	78,097	01-77	516	80,832	
548	144	Sumpter	STP, INT	200	6	22	172	01-76	4				4	78,101	10-76	145	80,977	
479	145	Juntura	STP, INT	80	2	9	69	01-76	2				2	78,103	03-77	58	81,035	
467	146	Silverton	STP Imp.	300	9	33	258	09-75	7	03-76	24		31	78,134	11-76	193	81,228	
549	147	Hillsboro (Westside)	STP Automation	300	9	33	258	08-75	6	12-75	25	05-76	194	225	78,359			
550	148	Wilsonville (Boeckman)	INT	200	6	22	172	09-75	4	01-76	17	06-76	129	150	78,509			
551	149	Sandy	INT	250	7	27	216	08-75	5	10-75	21	04-76	161	187	78,696			
552	150	Powers	STP Imp.	150	4	16	130	07-75	3	01-76	12	07-76	97	112	78,808			
553	151	Bandon (Johnson)	INT	250	7	27	216	08-75	5	02-76	21		26	78,834	10-76	162	81,390	
468	152	Scotts Hills	STP, INT	700	21	77	602	08-75	16	04-76	58		74	78,908	11-76	451	81,841	
477	153	Detroit	STP, INT	700	21	77	602	08-75	16	02-76	58		74	78,982	02-77	451	82,292	

NEEDS PRIORITY RANKING

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Corvallis	*						1
Latskanie	*						2
Brookings	*						3
Matilla-McNary	*						4
Wilver	*						5
Starts-Oceanside	*						6
Union	*						7
Edwood S. D.	*						8
Ruitdale-Harbeck	*						9
End	1000					1000	10
Edmond	1000					1000	11
Poster Midway	1000					1000	12
Portland (Gertz-Schmeer)	1000					1000	13
Arrebonne	1000					1000	14
SA (Fanno-Phase 5)	800	90	77	8	3	978	15
SA (Willow Cr. 3rd Phase)	800	90	77	8	3	978	16
Middle	800	90	73	10	3	976	17
Seburg (Metro-Reg.)	800	90	73	10	3	976	18
Winston-Green (Reg.)	800	90	73	10	2	975	19
Wynonville	800	90	73	10	1	974	20
John Day	800	90	68	10	2	970	21
Wernon	800	80	68	10	1	959	22
Hickam-Irrigation	700	100	77	10	1	888	23
Long Creek	700	100	68	10	3	881	24

* Previously certified

Applicant	Project Need Points	Emphasis Points	Rfver Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
USA (Rock Creek) STP	700	90	77	10	3	880	25
Portland (Tryon)	700	90	76	10	3	879	26
Harrisburg	700	90	76	10	3	879	27
USA (Rock Creek) Int.	700	90	77	8	3	878	28
Monmouth-Independence	700	90	76	10	2	878	29
Eugene-Springfield	700	90	76	10	2	878	30
Corvallis Airport	700	90	76	10	2	878	31
USA (Lower Tualatin)	700	90	77	8	3	878	32
USA (Upper Tualatin)	700	90	77	8	3	878	33
Tri-City - County	700	90	76	10	2	878	34
Newberg-Dundee	700	90	76	10	1	877	35
Clackamas Co. S.D. #1	700	90	76	8	3	877	36
Junction City	700	90	76	10	1	877	37
Eugene Airport	700	90	76	10	1	877	38
Maupin	700	90	74	10	2	876	39
Eugene (Eastside)	700	90	76	8	2	876	40
Corvallis Mobile Part	700	90	76	8	2	876	41
Glendale	700	90	73	10	2	875	42
Sutherlin	700	90	72	10	2	874	43
Eagle Point	700	90	71	10	3	874	44
Gold Hill	700	90	71	10	2	873	45
Cave Junction	700	90	71	10	2	873	46
Boardman	700	90	69	10	3	872	47
Jacksonville	700	90	71	8	3	872	48
Prairie City	700	90	68	10	2	870	49
Portland (SE Relieving)	700	90	69	8	3	870	50

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Portland (Umatilla)	700	90	69	8	3	870	51
Grande - Island City	700	90	67	10	2	869	52
Wain	700	90	67	10	1	868	53
Wavallis-Crescent Vly.	700	80	76	8	2	866	54
Winnemucca	700	80	69	8	1	858	55
West of Tillamook Bay	700	90	57	8	1	856	56
Wesley	700	90	54	10	1	855	57
Wheeler (Addendum to FCSA Grant)	700	80	62	8	3	853	58
Winston	700	90	48	10	1	849	59
Wright	700	90	46	10	3	849	60
Tillamook City	700	80	57	10	1	848	61
Winton	700	90	46	10	1	847	62
Meridan-Willamina	700	90	46	10	1	847	63
Wilton	700	90	46	10	1	847	64
Walla	700	90	44	10	2	846	65
Wadburn-Gervais	700	90	45	10	1	846	66
Wagon	700	90	42	10	2	844	67
Wakaway	700	90	41	10	2	843	68
Wheeler	700	90	42	10	1	843	69
Winnemucca Beach	700	90	41	10	1	842	70
Winnemucca City	700	90	41	8	3	842	71
Winnemucca Grove	700	90	40	10	1	841	72
Winnemucca	700	90	40	10	1	841	73
Winnemucca Ridge	700	90	39	10	1	840	74
Winnemucca	700	90	35	10	1	836	75

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Ironville	700	90	33	10	2	835	76
Leneta	700	90	32	10	3	835	77
Government Camp S.D.	700	90	30	10	3	833	78
Clamath Fall Reg.(Co.)	700	90	23	10	2	830	79
Termiston	700	90	26	10	2	828	80
Chiloquin	700	90	25	10	2	827	81
Ontario	700	90	24	10	2	826	82
Lines	700	90	23	10	2	825	83
Huntington	700	90	7	10	2	809	84
Laker	700	90	7	10	2	809	85
Joseph	700	90	6	10	1	807	86
Enterprise	700	90	6	10	1	807	87
Lufu	700	90	1	10	1	802	88
Lake Oswego-Willamette	600	100	76	8	3	787	89
Abish Village	600	100	76	8	3	787	90
North Bend	600	90	75	10	1	776	91
North Albany S.D.	600	90	76	8	2	776	92
North Plains	600	80	77	10	1	768	93
St. Paul	600	80	76	10	1	767	94
Lake Oswego (Harvey Way)	600	80	76	8	3	767	95
Lake Oswego (Terrace)	600	80	76	8	3	767	96
Lake Oswego (Evergreen)	600	80	76	8	3	767	97
Lake Oswego (Lakeview)	600	80	76	8	3	767	98
Clackamas Co.-(Rhoda- Welsches)	600	90	66	10	1	767	99
Robur	600	80	76	10	1	767	100

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Charleston-Barview S.D.	600	80	75	8	3	766	101
Clide-Idelyld	600	80	72	10	3	765	102
West Linn (Lower Tualatin)	600	80	76	8	1	765	103
Hardy Cove	600	80	71	10	2	763	104
Berlin-Col. Valley	600	80	71	10	2	763	105
CVSA-(Central Point) (Westside)	600	80	71	8	2	761	106
Mauna-Westport	600	80	69	10	1	760	107
Multnomah County (Inverness #8)	600	80	69	8	3	760	108
Resham (Ruby Junction)	600	80	69	8	1	758	109
Stamba City	600	80	69	8	1	758	110
Deve	600	80	67	10	1	758	111
Wiggs Junction	600	80	69	8	1	758	112
Wikeside	600	80	63	10	1	754	113
Wines City	600	80	63	10	1	754	114
Wacific City S.D.	600	80	56	10	1	747	115
Wapleton	600	80	54	10	2	746	116
Wighway 101 S.D.	600	80	57	8	1	746	117
Wlorence	600	80	54	10	1	745	118
Wlerner	600	80	48	10	2	740	119
Wlerra	600	80	45	10	2	737	120
Wmalld	600	50	76	10	1	737	121
Wnberg (NW)	600	50	76	8	3	737	122
Wnby	600	50	76	8	1	735	123
Wlary (NE)	600	50	76	8	1	735	124
Wngent	600	50	76	8	1	735	125
Wpine	600	50	74	10	1	735	126

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Mill City	600	80	42	10	1	733	127
Butte Falls	600	50	71	10	2	733	128
Twin Rocks S.D. (Barview)	600	80	41	8	3	732	129
SW Lincoln Co. S.D.	600	80	41	8	2	731	130
Roads End S.D.	600	80	41	8	2	731	131
St. Helens	600	50	69	8	2	729	132
Merrill (E. Merrill)	600	90	26	10	1	727	133
Modoc Point	600	80	28	10	1	719	134
Sisters	600	80	15	10	2	707	135
Carmel-Foulweather S.D.	600	50	41	10	2	703	136
Bay-to-Bay S.D.	600	50	41	8	2	701	137
Falls City	600	50	35	10	1	696	138
Bona	600	50	26	10	1	687	139
Adrian	600	50	24	10	1	685	140
Prineville (Laughlin-Melrose)	600	50	15	8	2	675	141
Crescent	600	50	11	10	1	672	142
Ukiah	600	50	10	10	2	672	143
Sumpter	600	50	7	10	1	668	144
Juntura	600	50	7	10	1	668	145
Silverton	400	90	45	10	1	546	146
Hillsboro (R&D-Westside)	400	50	77	10	1	538	147
Milsonville (Boeckman)	400	50	76	8	2	536	148
Sandy	400	50	66	8	3	527	149
Powers	400	50	51	10	1	512	150
Sandoz (Johnson)	400	50	52	8	1	511	151
Scotts Mill	400	50	45	10	1	506	152
Detroit	400	50	42	10	1	503	153



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RESSELYN R. CANNON
Director

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. E, April 25, 1975, EQC Meeting

Proposed Criteria for Prioritizing Sewage Works Construction Needs for Construction Grant Purposes for FY 76

Background

Public Law 92-500 authorizes 75% federal grants for construction of eligible sewerage facilities. This law and the implementing rules adopted by EPA require the state to adopt a criteria for prioritizing needs for grant funding consideration. This state priority criteria must then be approved by EPA. Following adoption and approval of the priority criteria, the state must annually develop a prioritized project list and adopt it following a public hearing.

DEQ has been operating under priority criteria approved by the EQC in 1973. Since that time, Federal rules, requirements and interpretations have been constantly changing. We have now reached a point where the priority criteria must be modified in order to get grant projects moving.

Federal regulations (CFR 40., Section 35.915) establish the areas of national concern which must be addressed in the priority criteria, including "...the severity of pollution problems, the population affected, the need for preservation of high quality waters and national priorities as well as total funds available, project and treatment works sequence and additional factors established by the State...."

Attachment I contains the Department's proposed new priority criteria. Explanation and discussion of the components is as follows:

Discussion of Priority Criteria

1. Project Need

This classification identifies the various water pollution related conditions or situations for which a sewerage construction project is anticipated to be the best economic and environmentally appropriate solution.

The categories within this classification are ranked to reflect national and state water pollution and water quality related public health priorities.

- (a) Sewerage facilities required by the Mandatory Annexation legislation (ORS 222.) and the Drill Hole Elimination Regulations (OAR Chapter 340 Section 44-005 et seq.) occupy the highest place in the Needs category and are numerically assigned 1000 points. The need for sewerage facilities in each case is supported by specifically-identified problems for which strong regulatory actions have been taken by DEQ or the State Health Division pursuant to law.

The mandatory annexation law provides for a public health survey of problem areas, a certification of existence of a health hazard emergency, a forced annexation of the problem area to the adjacent city, and an order to the city to construct a sewage collection and interception facility to eliminate the public health hazard.

In 1969, the EQC found the practice of disposal of sewage into rock crevices through "drill holes", which is used in Central Oregon, to be a serious ground water pollution threat and adopted regulations requiring an orderly phase out of all drill holes by 1980. The Federal Water Pollution Control Administration (now EPA) supported the action of the Commission. Total sewerage systems must be constructed in several communities to achieve compliance with the regulations.

The Federal Act (PL 92-500) providing sewerage works grant authority to EPA allows the use of grant funds not only for "treatment works" as usually connoted, but also for sewage collection systems, stormwater collection and treatment systems, and other related collection and treatment facilities. To date, actual use of funds has been limited by DEQ (with EPA concurrence and approval) to sewage treatment plants, major interceptors and pumping stations, and plant outfall sewers. This was intended to make the best direct pollution abatement use of the limited grant funds which were available. This approach is still the best efficient overall use of the funds. However, it is highly desirable to be able to extend eligibility to sewage collection systems where such are required by Mandatory Annexation proceedings and regulations for elimination of drill hole sewage disposal in urban areas. Since such projects are of substantial water quality control and critical public health concern, and usually are hampered in implementation by inordinately high project costs, it is proposed that, in this category only, where it is specifically supported by appropriate

documentation, the sewage collection systems be included in the grant eligible project costs.

- b. The next highest category of need involves those rivers and streams whose water quality is protected by Water Quality standards. Facilities necessary to achieve compliance with water quality standards or eliminate a contribution to standards violation would be reason for applying 300 points to the project proposed. For example, water quality standards are presently exceeded in the South Umpqua, the Pudding, the John Day and the Tualatin Rivers during the dry weather, low-flow periods. This is attributable in part to the discharge of domestic waste waters and will be improved by providing a higher quality of effluent.
- c. The third "Need" category, worth 700 points, relates to facilities required to comply with an effluent or minimum treatment requirement spelled out by regulation, permit, order or other specific directive. Such minimum standards are usually designed to protect high quality waters or prevent degradation of existing quality.
- d. The fourth category of need, worth 600 points, is of considerable significance more because of its widespread occurrence than from its measurable instream pollution impact. This is the "Non-Point Source" discharge affecting ground and surface water. In many Oregon communities, the surface discharge from failing drainfield systems has definite health and water pollution ramifications. The occurrence of enteric organisms in ditches and drainage ways has the effect of threatening the health of entire communities, as well as impacting in stream water quality. High groundwater, constant subsurface disposal system leaching and uncovered drainage ditches in urbanizing areas combine to provide the potential for serious illness in a community if the problems remain ignored. The potential is particularly acute when shallow private water wells are utilized. These are often constructed without proper casing and well seals, and provide a passage for contaminated water to reach the shallow ground water aquifers. Thus, irreparable harm and water pollution can occur from this common problem. It has been difficult in the past to document the health hazard aspect of these problems to the satisfaction of EPA. By redefining the category to include documentable effect on surface or underground waters, it is hoped EPA's concerns can be satisfied.
- e. A 400 point category has been designated to deal with those instances where water pollution abatement

is not an immediate concern, but where experience and technical information project an apparent future problem. This would relate to growing, unsewered communities in such areas as lakesides, flood plains, or rocky terrain.

2. Regulatory Emphasis

A second level classification for separating projects within a priority system involves the level of interest of the regulatory agencies involved. This allows a relative ranking of projects within a specific need category, and emphasizes those projects whose rapid progress is most urgently needed. These are shown below along with point designations for the sub-grouping.

- a. Environmental Quality Commission
Order or Regulation: 100 points
- b. DEQ issued Permit: 90 points
- c. Letter directive, preliminary planning approval or project authorization: 80 points
- d. Other positive written response by the Department or Commission related to the desirability of the project: 50 points.

3. Stream Segment Ranking

As a result of the passage of PL 92-500, the federal government through EPA requires the state to submit an Annual Strategy for Water Quality Control activities and emphasis during the following fiscal year. A part of this strategy is a ranking of the stream segments based on:

- a. Severity of pollution
- b. Population affected
- c. Need for preservation of high quality waters
- d. National priorities.

Inasmuch as these are exactly the concerns outlined in the federal regulations for project priority assignments, the Stream Segment Ranking may be directly utilized in these criteria.

In 1973, DEQ identified and ranked 77 "stream segments" with highest point being number 1 and lowest point being number 77. The ranking reflected the best collective judgment of the Department of relative need for regulatory attention. The same ranking was used in 1974 and is proposed for use again this year. The ranking is attached as Attachment II. The point assignments for grant priority purposes will be in inverse order to

Collection systems are proposed for funding where Mandatory Annexation Order or Drill Hole Elimination Regulations necessitate a project. It should be emphasized that such funding is anticipated to be applicable in FY 76 only, in view of the fact that sufficient funds will be available to accommodate the construction of necessary projects during that fiscal year. The situation will undoubtedly be different in FY 77, and it is foreseen that the Commission will wish to review this particular concept in detail next year before extending such eligibility.

RECOMMENDATION

It is recommended that the proposed priority ranking system be adopted by the Commission so that a priority list for \$77.5 million of FY 76 construction grant money can be developed and presented at a hearing for adoption as required by federal rules.



KESSLER R. CANNON

HLS:rgn

4-18-75

ATTACHMENT I

Criteria for Priority Ranking of Sewerage Works Construction Needs for FY 76

I Purpose

The criteria and rules for application set forth herein shall be used to govern the priority ranking of identified sewerage works construction needs for construction grant funding pursuant to applicable state and federal law and regulations from July 1, 1975 through June 30, 1976. The criteria and rules for application shall be reevaluated prior to June 30, 1976 to assess the necessity for changes based on availability of funds relative to needs.

II Definition

Applicable definitions from ORS Chapters 468 and 454 shall apply.

III Development and Adoption of Project Priority List

At least annually, and prior to the beginning of the fiscal year related to the available grant funds, the Department shall prepare a proposed project priority list pursuant to the criteria and rules for application set forth herein. As required by federal rules and after appropriate notice, a hearing shall be held on the proposed list. Following evaluation of testimony received and modification as necessary, the Commission shall adopt a project priority list which shall be the official Sewerage Works-Construction Grant Priority list of the State of Oregon. The adopted list may be revised at any time following appropriate notice and hearing.

IV Priority Criteria

Identified needs shall be ranked using a numerical point system.

Table A contains the schedule for points assignment within each of the five categories of:

- a) Project Need
- b) Regulatory Emphasis
- c) Stream segment ranking
- d) Project Type
- e) Step Status

Except for projects receiving 1000 total points under the Project Need category, each need or project will be assigned appropriate points in each of five categories. The points for each project will then be added and sum therefrom will be the point total used for developing the project priority list. The project with the highest point total will be the highest priority project.

V Rules for Application of Criteria

A Assignment of Points

Points shall be assigned for each project based on best available data at the time of ranking for adoption of a list. In the event additional information justifies a change in point assignment, change in ranking shall be accomplished in accordance with B or C below.

B Additions or Elevation in Ranking.

Projects may be added to the list or elevated in ranking at the discretion of the Director subject to the following procedure:

1. Points shall be assigned in accordance with Table A and the point total will determine the ranking of the project with respect to projects already on the list.
2. Sponsors of those projects which have fewer total points than the new or re-ranked project shall be notified of the proposed list modifications and a public hearing shall be scheduled with appropriate notice given for the purpose of receiving testimony on the list modifications.
3. Following the evaluation of testimony received, the Commission may adopt the modified list as under Section III.

C Deletion or Reduction in Ranking

Projects may be deleted from the list or reduced in ranking by the Director without public hearing either in the event of a project's receiving full funding, or by reassessment of point totals or basic project desirability. Sponsors of projects thus deleted or reduced in ranking shall be notified of the revised status of the project and may request a hearing before the Commission regarding the revised status. Such a hearing request must be made to the Director within 20 days following receipt of the notification of revised status and the Director shall schedule a hearing before the Commission within 60 days.

D Carryover of Projects to Subsequent Year Lists

1. All projects which have received a Step II or Step III grant in a given fiscal year and are not completed will automatically be placed at the top of the priority list for the next fiscal year in the same relative ranking as they appeared in the prior year in order to assure continuity and funding.
2. All projects which have not yet received any grant or have received only a Step I grant will be subject to reprioritization along with all new projects for the next year's list.

E Project Scheduling

Funds shall be reserved for each project for those phases that are scheduled for initiating within three months of the end of the fiscal year. Phases which will not be initiated within that time frame will be scheduled for funding from subsequent year funds. In the event of schedule slippage, the Department

may either reserve the funds for an additional three months or may allocate same to the next project on the list awaiting funds. The Department shall notify the applicant of its intent to take such action.

F Contingency Reserve

A minimum of 15% of each fiscal year's allocation of grant funds shall be set aside as a contingency reserve for grant increases and cost adjustments. A portion of the contingency reserve may be allocated to initiate new projects three months prior to the end of the fiscal year if it appears that the total reserve will not need to be maintained.

VI Eligibility for Funding

- A** Except as noted in B below, facilities eligible for grant assistance shall be limited to sewage treatment works, interceptor sewers, major pumping stations and pressure mains, and such public sewer system rehabilitation as can be shown to have an obvious cost effective benefit related directly to size, effective life or performance of the sewage treatment plant.
- B** For FY 76, collection systems shall be eligible for grant assistance where such systems are required to comply with a mandatory annexation order issued pursuant to ORS 222 or DEQ regulations requiring elimination of Waste Disposal Wells (OAR Chapter 340 Section 44-005 et seq). This eligibility of collection systems will not be extended beyond June 30, 1976 unless the Environmental Quality Commission finds that sufficient federal funds are available to permit extension without jeopardizing the construction program for essential treatment works and interceptor sewers.

HLS:ak
April 18, 1975

Table A

Project Priority Ranking Criteria for FY 76

<u>Point Assignment</u>	<u>Point Categories</u>
	<u>Project Need</u>
1000 Total*	Project necessary to comply with mandatory annexation order under ORS 222 or Waste Disposal Well Schedule under OAR Chapter 340, Section 44-005 et seq. (Includes sewage collection system, where appropriate). (*Points for regulatory emphasis, stream segment ranking, project type, and step status included in total.)
800	Project necessary to achieve compliance with in-stream Water Quality Standards contained in OAR Chapter 340 Division 4 Subdivision 1 or eliminate a contribution to standards violation.
700	Project necessary to comply with minimum waste treatment standards or effluent standards established by the Department of Environmental Quality or the Environmental Protection Agency.
600	Project needed to minimize or eliminate documented "non point source" contamination of groundwater or surface waters relating to subsurface sewage disposal system malfunction in known urban or urbanizing areas.
400	Project desirable for prevention of potential water pollution problems.
	<u>Regulatory Emphasis</u>
100	Environmental Quality Commission Order or Regulation.
90	NPDES or State Waste Discharge Permit.
80	Letter directive, preliminary planning approval or project authorization from the Department of Environmental Quality.
50	Other written statement of project desirability by DEQ or the Commission.
	<u>Stream Segment Ranking</u>
77 maximum	Streams ranked in inverse order to that shown in "Annual State Water Strategy - FY 75".
	<u>Project Type</u>
10	Sewage treatment plant projects including cost-effective sewer rehabilitation.
8	Interceptor sewers, major pumping stations and pressure mains.

Table A
Page 2

Point
Assignment

Point
Categories

Step Status

1

Step I - Facilities plan preparation.

2

Step II - Preparation of plans and specifications.

3

Step III - Project construction.

STREAM SEGMENT RANKING
from "Annual State Water Strategy -- FY 75"

<u>Number</u>	<u>Name of Segment (*)</u>
1	Tualatin River
2	Willamette River
3	Coos Bay
4	Deschutes River
5	South Umpqua River
6	Umpqua and North Umpqua River
7	Rogue River
8	Bear Creek
9	Columbia River
10	John Day River
11	Grande Ronde River
12	Sandy River
13	Skipanon River
14	Necanicum River
15	Neacoxie Creek
16	Nehalem River
17	Nehalem Bay
18	Wilson River
19	Trask River
20	Tillamook River
21	Tillamook Bay
22	Nestucca River

(*) Named segment includes tributaries thereto unless such tributaries are otherwise listed.

NumberName of Segment

23	Netarts Bay
24	Siuslaw River
25	Chetco River and Chetco Cove
26	Coquille River
27	South Coquille River
28	Yaquina River
29	South Yamhill River
30	Mill Creek
31	North Yamhill River
32	Yamhill River
33	Pudding River
34	Molalla River
35	South Santiam River
36	Santiam and North Santiam River
37	Pacific Ocean
38	Coast Fork Willamette River
39	Middle Fork Willamette River
40	Clackamas River
41	McKenzie River
42	Rickreall Creek
43	Luckiamute River
44	Marys River
45	Calapooia River
46	Long Tom River
47	Columbia Slough

<u>Number</u>	<u>Name of Segment</u>
48	Hood River
49	Umatilla River
50	Klamath River
51	Sprague River
52	Lost River
53	Williamson River
54	Snake River
55	Silvies River
56	Salmon River
57	Alsea River
58	Lower Umpqua River
59	Lewis and Clark River
60	Klaskanine River
61	White River
62	Warm Springs River
63	Crooked River
64	Metolius River
65	Spring River
66	Fall River
67	Little Deschutes River
68	North Fork John Day River
69	South Fork John Day River
70	Walla Walla River
71	Powder River
72	Wallowa River

Number

Name of Segment

73

Owyhee River

74

Silver River

75

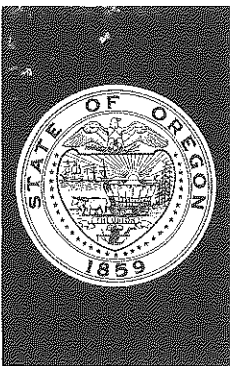
Donner and Blitzen River

76

Chewaucan River

77

Thomas Creek



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KESSLER R. CANNON
Director

TO: Environmental Quality Commission
FROM: Director
SUBJECT: Agenda Item No. F , June 27, 1975, EQC Meeting

Public Hearing--Adoption of Rule Pertaining to Priority
Criteria for Approval, Denial, Modification or Revocation
of Air Contaminant Discharge Permits for Air Contaminant
Sources Located in a Limited Airshed

Background

At the March 28, 1975 meeting of the EQC, consideration was given to adoption of a temporary rule entitled, Priority Criteria For Approval, Denial, Modification, or Revocation of Air Contaminant Discharge Permits for Air Contaminant Sources Located in a Limited Airshed. The Director's report on this proposed rule (see Attachment A) indicated:

1. Many areas of the State have reached, or are close to reaching assimilative capacity for certain air contaminant emissions.
2. A rule for specifying priority criteria for processing air contaminant discharge permits for air contaminant sources located in a limited airshed is urgently needed to provide the Department with an equitable and legal basis for approving, denying, modifying or revoking air contaminant discharge permits.

The general thrust of the proposed priority criteria rule was to require the Department to act on permit applications in the order that they are determined complete for processing.



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At the March 28, 1975 EQC meeting, the Port of Portland, City of Portland and Multnomah County indicated they wished adoption of the priority criteria rule to be delayed to give time for thorough review and preparation of recommendations. After consideration of this testimony and that relatively few new air contaminant discharge permit applications were pending, the EQC decided that adoption of the priority criteria rule was not needed on an emergency basis. Authorization was given to the Director at this meeting to proceed to conduct necessary hearings in a timely manner to establish the priority criteria rule as a permanent rule of the Department.

Subsequent to the March 28, 1975 EQC meeting, written comment on the proposed priority criteria rule was submitted by International Paper Company. Discussions were also held with the Port of Portland, who indicated they would coordinate review and response with the City of Portland and Multnomah County.

The Department has considered comments made by International Paper Company and the Port of Portland and has drafted a slightly modified version of the priority criteria rule for consideration at this public hearing (see Attachment B). Proposed further revisions drafted since the public hearing notice was issued on May 28, 1975 are also shown. These proposed revisions are generally for improving clarity of the rule.

Discussion

International Paper Company in their April 9, 1975 letter (see Attachment C) indicated that the determination of whether a permit application is complete for processing should not be left with the Director and cited the example that, "There is no limit to the amount of data that the Director may ask an applicant to supply."

OAR Chapter 340, Section 14-020 (14) currently requires the Director to determine when a permit application is complete for processing and to do otherwise would be impractical. International Paper's point is well taken and the Department believes that a permit applicant should have an appeal route if the applicant feels his application is complete for processing prior to the Director making such determination. In such case, allowing the applicant to request a hearing before the EQC would seem to be a reasonable approach to resolve the issue. Section 33-020 (2) has been added to the proposed priority criteria rule to allow for a hearing before the Environmental Quality Commission.

International Paper suggested that a construction schedule be made a firm requirement of the proposed rule and that increments of progress be required as part of the schedule. The Department agrees that a construction schedule should be required in all cases and Section 33-025 of the proposed rule has been so modified. The Department believes that increments of progress are implied in the context of a construction schedule and no special mention of this in the rule is necessary.

International Paper further suggested that a list of limited airsheds should be published regularly. The Department believes it has a firm responsibility to keep the public fully informed of airshed capacities. The Department believes this responsibility is or will be adequately carried out by state clean air plans, air quality maintenance plans, reports on proposed permits for significant air contaminant sources, special significant deterioration rules and special rules such as the Interim Policy which affects the Portland Metropolitan Area. Closer coordination and information exchange with respect to airshed capacities, particularly with planning agencies is expected in the near future when planning agencies will have to provide actual work input to the Department for development of air quality maintenance plans and area reclassification documents (required by significant deterioration rules).

Finally, International Paper requested that permit applications be received until airshed capacity is exhausted by facilities actually under construction. The Department believes the proposed rule allows for this. However, in such circumstances, the Department would still have the flexibility once the application is complete for processing, to deny the permit (in cases where additional airshed capacity is concluded to be unattainable) or, condition the permit allowing construction to commence only after additional airshed capacity has been obtained.

The Port of Portland has given the Department its comments on the proposed rule (see Attachment D) along with some general comments made by representatives of the City of Portland and Multnomah County. In general, the three government bodies wish that the priority criteria not be limited to consideration of the applications in the order they are determined complete for processing, but be broadened to include:

1. Consideration of community benefits.
2. Preferential treatment for existing industries.

While these factors are understandably paramount concerns for the community, the Department still believes that consideration of these factors in air contaminant discharge permit priority issuance is beyond the jurisdiction and authority of the Department. It is believed consideration of such factors is within authority of appropriate planning agencies and local government units and should be considered at this level.

The Port of Portland's own stated policy in Attachment D provides, "for preferential treatment for growth of maritime activity and expansion needs of existing industries," is an example of the mechanisms available for other government entities to prescreen potential new air contaminant sources before the Department receives a permit application.

The Port of Portland also expressed concern that existing industries may not be reissued a permit if a sale or exchange of a facility occurred. The Department believes there is no cause for concern as the priority criteria rule would not apply in the case of sale or exchange provided a new permit modification is filed by the new owner within 60 days of the sale or exchange and unless an existing facility were to be expanded as part of the sale or exchange, in which case the priority criteria would apply only to the expanded portion of the facility.

Finally, the Port expressed concern about the length of the construction schedule (18 month maximum allowed to commence construction with possibility of 12 month extensions by the EQC) and cited an example of a nonviable industry causing lengthy delays to a viable industry who is seeking a permit. The permit revocation provisions of the priority criteria rule (Section 33-040) allows revocation of a permit after public hearing if construction schedules are not adhered to, or, at any time the project is determined no longer viable. This provision should fully satisfy the Port's concern. The revocation section has been cited by some as a threat to obtaining financial commitments for a project. However, the need for this section is demonstrated by the Port's concern.

Conclusions

1. A rule for specifying priority criteria for processing air contaminant discharge permits for air contaminant sources located in a limited airshed is needed to provide the Department with an equitable legal basis for approving, denying, modifying or revoking air contaminant discharge permits.
2. Considering community benefit factors as a priority criteria for issuing air contaminant discharge permits is considered beyond the jurisdiction of the Department, but within the jurisdiction of planning and other governmental agencies.
3. Prescreening of proposed new air contaminant sources for desirable community benefits by appropriate governmental units should be feasible provided complete and prompt dissemination of airshed capacity information is made by the Department.

Director's Recommendation

It is the Director's recommendation that the Commission adopt the attached proposed rule, Priority Criteria for Approval, Denial, Modification, or Revocation of Air Contaminant Discharge Permits for Air Contaminant Sources Located in a Limited Airshed (Attachment B) as a permanent rule of the Department.



Director

JFK:cs
6/11/75

Attachments

- A. Agenda Item No. 5, March 28, 1975, EQC Meeting
- B. Proposed Rule
- C. International Paper Company letter, April 9, 1975
- D. Port of Portland letter, May 30, 1975



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KESSLER R. CANNON
Director

TO: Environmental Quality Commission

FROM: Director

SUBJECT: Agenda Item No. F, March 28, 1975, EQC Meeting

Proposed Adoption of Temporary Rule - Priority
Criteria for Approval, Denial, Modification or
Revocation of the Air Contaminant Discharge
Permits for Air Contaminant Sources Located in
a Limited Airshed

Background

At the February 28, 1975 meeting the EQC directed the Department to evaluate the need for adoption of a rule containing priority criteria for processing air permits for new or expanded air contamination sources especially in areas where more than one potential source may be competing for the same limited airshed capacity.

The Department and EQC have, in recent times, become more acutely aware of the fact that airsheds in many portions of the State have reached, or are close to reaching their assimilative capacity for certain air contaminant emissions. This renewed sense of awareness has been brought about by:

1. Preliminary analysis of air quality data and projection of future trends in air quality (as first steps in development of ten-year air quality maintenance plans) which indicated potential non-compliance with applicable air quality standards in certain portions of the state.
2. Projected large air emission increases in the Portland Metropolitan Area due to proposed abnormal industrial growth.



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3. Adoption of stringent national and state air quality standards.
4. Adoption of national significant air quality deterioration limits.

Air Shed Management Problems

Air emission ceilings have already been established by the EQC when the Rule Criteria for Approval of New or Expanded Air Emission Sources in the Portland Metropolitan Special Air Quality Maintenance Area was adopted on October 25, 1974. Air Contaminant permits issued in conformance with this Rule have already used a major portion of the allowable emission increases.

The Department has also processed and issued air permits for new air contaminant sources in other parts of the State which allow use of nearly all, or all, of the allowable air quality deterioration limits (i.e., the Charter Energy, Inc. oil refinery near St. Helens).

With airsheds at, or near capacity and control programs to make room for future growth still in development stages, the question has arisen many times of late as to how the Department will equitably allocate remaining airshed capacity to future permit applicants. Even more of a question has been raised as to how allocations will be made in cases where there are applications for more emissions than there is available airshed capacity. Finally, concern has been raised as to how long a permittee may hold rights to an air emission allocation while deciding whether to construct an approved project.

The Department has, to some extent, faced all of these questions and problems in administration of the Special Air Quality Maintenance Area Rule. The Department has attempted to cope with these problems by processing permits in the order they are determined to be complete for processing and by incorporating construction schedules in certain air contaminant discharge permits. Special permit conditions have been written to allow modification or revocation of a permit if the construction schedule is not adhered to (as in the case of permits issued to Columbia Independent Refinery, Inc. and Charter Energy Company). Complete criteria for enforcing these special requirements has not, however, been established by the Department in rule form.

Development of Priority Criteria Rule

It has become increasingly apparent that priority

criteria for processing air permits for sources in a limited airshed is urgently needed in rule form to:

- A. Insure equitable and legal treatment of all air permit applicants and permittees.
- B. Provide definitive guidelines to the Department for allocating remaining airshed capacity.
- C. Specifically identify the Department's regulatory authority in matters of air emission allocations.

The urgent need for a rule specifying priority criteria for processing permits for new or expanded air contaminant sources is further supported in light of:

- A. Rapidly decreasing airshed capacity in many areas of the State.
- B. Several pending permit applications.
- C. Questionable viability of proposed new or expanded air contaminant sources which have been or are about to be issued permits (i.e., Portland Steel Mills [permit issued], Oregon Steel Mills and Pennwalt expansions [permits pending issuance]).

The Department has drafted a proposed rule specifying priority criteria for approval, denial, modification or revocation of air contaminant discharge permits for air contaminant sources located in a limited airshed (see Attachment A). The thrust of this proposed rule is to identify the priority criteria legally available to the Department in processing permits in cases where limited airshed capacity significantly restricts allowable emission increases (and for all practicable purposes restricts growth).

Discussion

The most significant items in the drafted priority criteria rule include requiring permits to be issued in the order that applicants are considered "complete for processing" (defined in the draft rule). Other socio-economic criteria such as employment and tax benefits to the community attributable to new air emission sources are considered beyond the jurisdictional consideration of the Department. However, since these matters have repeatedly been brought up at hearings for new source

air contaminant discharge permits, it is hoped that local government officials, planning agencies, port commissions and other responsible groups will be more cognizant of limited airshed capacity and prescreen potential new air emission sources before they are brought to the Department for action.

Other significant items in the draft rule include requirements for inclusion of a construction schedule in applicable permits and required adherence to this schedule. A reasonable time period to "commence construction" is required to be part of the construction schedule. A maximum 18 month period from issuance of the permit to commencing construction is proposed. Commencing construction has been defined using identical wording contained in the EPA Prevention of Significant Air Quality Deterioration Rule.

Criteria for Permit Denial, Modification or Revocation have also been included in the draft rule. Criteria and authorization to modify or revoke permits are deemed necessary to allow reallocation of emissions from projects which have been issued permits but have become nonviable at a later date.

Conclusions

1. Many areas of the State have reached, or are close to reaching assimilative capacity for certain air contaminant emissions.
2. Commencing construction of certain new air contaminant sources in the limited Portland Metropolitan airshed is now considered questionable due to economic or other factors despite the fact that air contaminant discharge permits have or are about to be issued to these sources.
3. A rule for specifying priority criteria for processing air contaminant discharge permits for air contaminant sources located in a limited airshed is urgently needed to provide the Department with an equitable and legal basis for approving, denying, modifying, or revoking air contaminant discharge permits.

Director's Recommendation

In light of the urgent need for adoption of a rule containing priority criteria for processing air contam-

inant discharge permits for new or expanded air contaminant sources located in limited airsheds, it is the Director's recommendation that the Commission act as follows:

1. Find that failure to act promptly will result in serious prejudice to the public interest for the specific reason that without such rule equitable, legal allocation of limited airshed capacity will be substantially impaired.
2. Adopt Attachment A as a temporary rule to become effective immediately upon filing with the Secretary of State, and
3. Authorize the Director to conduct necessary hearings within the 120 day time limit of the temporary rule to establish the priority criteria as a permanent rule of the Department.



KESSLER R. CANNON
Director

Attachment A

JFK:cm
3/19/75

(PROPOSED)

Attachment B

DIVISION III

AIR POLLUTION CONTROL STANDARDS
FOR AIR PURITY AND QUALITY

Subdivision [3] 2

PRIORITY CRITERIA FOR APPROVAL, DENIAL, MODIFICATION OR
REVOCATION OF AIR CONTAMINANT DISCHARGE PERMITS FOR AIR
CONTAMINANT SOURCES LOCATED IN A LIMITED AIRSHED

33-005 PURPOSE. The purpose of this subdivision is to provide criteria for the Department to follow in reviewing and acting on air contaminant discharge permit applications and permits for new or expanded air contaminant sources located in a limited airshed to insure that equitable treatment is given to the permittee, or potential permittee.

33-010 DEFINITIONS. As used in this subdivision, unless otherwise required by context:

(1) "Airshed" means an area of the State as determined by the Department where air emissions from an air contaminant emission source or sources causes or would [tend to] cause significant air quality impact[.] such as but not limited to the Oregon portion of the Portland-Vancouver Air Quality Maintenance Area.

(2) "Construction" means fabrication, erection, or installation of an affected facility[.] for which an air contaminant discharge permit has been issued by the Department.

(3) "Commenced" means that an owner or operator has undertaken a continuous program of construction or modification, or that an owner or operator has entered into a binding agreement or contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

(4) "Complete for Processing" means all information requested of the permit applicant has been received by the Department or necessary fact-finding measures deemed necessary by the Director are complete as defined in Oregon Administrative Rules (OAR) Chapter 340, Division I, Subdivision 4, Section 14-020.

(5) "Deterioration Limits" means allowable increase in air pollutant concentrations over baseline air quality as defined in the Federal Register, Volume 39, No. 235, dated December 5, 1974.

(6) "New or Expanded Air Contaminant Source" means an air contamination source, as defined in ORS 468.275, whose construction, installation, establishment, development, modification, or enlargement is authorized by the Department after the effective date of this regulation.

33-015 APPLICABILITY. Provisions of this subdivision shall apply to air contaminant sources for which permits to construct and operate new or expanded facilities have not been issued as of the effective date of this regulation, and, as determined by the Department, in:

(1) Any area of the State where specific allowable air emission increases or air emission ceilings have been identified.

(2) Any area of the State where applicable air quality standards or deterioration limits restrict air emission increases.

(3) Any area of the State where air emissions may threaten public health or welfare.

33-020 CRITERIA.

(1) In reviewing applications for air contaminant discharge permits for new or expanded air contaminant sources located in areas in which this regulation is applicable, the Department shall determine whether the air contaminant emissions from the source can be accommodated in the airshed and shall, when it is determined that issuance of a permit for a proposed facility may preclude issuance of a permit for other facilities in the foreseeable future, issue such permits to permit applicants in the order that applications are considered complete for processing and only to the extent that air emissions would not constitute cause for permit denial in accordance with Section 33-030.

(2) If the permit applicant believes his application is complete for processing prior to the Department making such determination, the applicant may request a hearing before the Commission. Such a request for hearing shall be made in writing to the Director. If the Commission finds that the application was complete for processing at the time the applicant requested the hearing, then the application will be considered complete for processing as of the date of the request for hearing for the purpose of permit issuance criteria in Subsection (1) of this Section.

33-025 CONSTRUCTION SCHEDULE REQUIREMENT. In the case where the Department determines that a new or expanded source may use a significant portion of the airshed and that issuance of a permit for the proposed facility may preclude issuance of a permit for other facilities in the future, the Department [may:] shall:

- (1) Require a construction schedule from the permit applicant.
- (2) Incorporate this schedule in the applicant's air contaminant discharge permit.

(3) Require adherence to this construction schedule.

The construction schedule shall include a date when construction will be commenced. This date shall be based on a reasonable time for commencing construction of the project considering the magnitude of the project and other relevant facts; but in no case, shall the date for commencing construction exceed eighteen (18) months from the date of issuance of the permit.

33-030 PERMIT DENIAL. The Department may deny issuance of an air contaminant discharge permit for a new or expanded source if air emissions will:

- (1) Cause applicable air quality standards to be exceeded.
- (2) Cause applicable deterioration limits to be exceeded.
- (3) Cause any area emission rule to be exceeded.
- (4) Cause air quality impact which may threaten public health or welfare.

33-035 PERMIT MODIFICATION. The Department may modify the construction schedule required in Section 33-025 only after Public Hearing and upon presentation of facts that the project is still viable. Such modification shall not exceed a twelve (12) month period.

33-040 PERMIT REVOCATION. The Department may revoke an air contaminant discharge permit after Public Hearing if the construction schedule required in Section 33-025 is not adhered to or [it is determined] if the Environmental Quality Commission determines at any time that the project is no longer viable.

June 11, 1975



INTERNATIONAL PAPER COMPANY

LONG-BELL DIVISION

BOX 579, LONGVIEW, WASHINGTON 98632, PHONE (206) 428-2110

April 9, 1975

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
R E C E I V E D
APR 11 1975

Environmental Quality Commission
1234 S. W. Morrison Street
Portland, OR 97205

OFFICE OF THE DIRECTOR

Dear Sirs:

The following commentary pertains to the proposed temporary rule for "priority Criteria for Approval, Denial, Modification or Revocation of the Air Contaminant Discharge Permits for Air Contaminant Sources Located in a Limited Airshed."

33-010(4)

The determination of whether or not a particular application is "complete for processing" should not be left to the discretion of the Director. There is no limit to the amount of data the Director may ask the applicant to supply. This could be used as a delay tactic to exclude certain industry which has a legal right to the airshed on a priority basis but which meets with the disfavor of the Director, the Commission or various other persons or public agencies which could use the "complete for processing" criterion to attempt to exclude these sources.

A more equitable solution is to assign priorities on the basis of the order of receipt by the Department of specially designed application forms completed by the applicant. These forms would be developed by the Department for the dual (and only) purposes of establishing the seriousness of an applicant's commitment to construct and to obtain data on the expected air emissions from the source. Once the application form has been received and the applicant's priority assured, additional information can be requested to complete the processing.

33-025

The first paragraph ending with "...the Department may:" should be changed to read "...the Department shall:" The construction schedule is an important and integral part of the priority process and is necessary to prevent speculative airshed appropriating by applicants.

Page 2.

Another paragraph should be added requiring that the construction schedule contain incremented reports of progress so that the Department and potential applicants can be kept informed of progress.

General

A list of "Limited Airsheds" and data indicating their status should be published on a regular basis by the Department.

A statement should be added requiring the Department to accept and process all applications received until the airshed capacity is exhausted by facilities actually under construction. This will allow applicants to apply without having to wait 18 to 30 months while previous applicants decide whether or not to actually begin construction.

The priority establishing process should be incorporated into any pending or existing legislation aimed at streamlining permitting procedures. At least one such bill is presently under consideration.

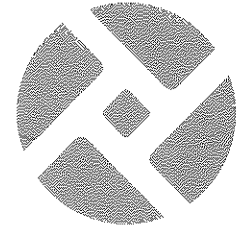
Very truly yours,



OLIVER A. FICK
Coordinator, Environmental Services

OAF:md

cc: W. P. Miller
R. S. Pardo



May 30, 1975

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
 RECEIVED
 JUN 9 1975

AIR QUALITY CONTROL

Port of Portland

Box 3529 Portland, Oregon 97208

503/233-8331

TWX: 910-464-6151

Mr. John Kowalczyk
 Chief of Technical Services
 Department of Environmental Quality
 1234 S.W. Morrison Street
 Portland, Oregon

PROPOSED ADOPTION OF TEMPORARY RULE - PRIORITY CRITERIA
 FOR AIR CONTAMINANT DISCHARGE PERMITS

The Port has reviewed and supports the idea of a priority criteria; however, the Port believes the following items should be considered before the proposed rule is adopted.

- Assessment of community benefits
- Support of existing industry
- Viability of applicants

If the EQC adopts the rule as proposed, consideration of community benefits such as employment influence and linkage industries may not be fully explored. In the written discussion of the proposed rule to the EQC the Department hopes that, ". . . responsible groups will be more cognizant of limited airshed capacity and prescreen potential new air emission sources . . ." Since the proposed rule essentially requires the Department to issue permits on a first come, first served basis, the consideration of community benefits may not be accomplished.

Port of Portland policy provides for preferential treatment for growth in maritime activity and expansion needs of existing industries. The criteria proposed by the Department should also encourage enhancement of existing activities and industries.

In addition, present Department regulations require revocation of permits upon sale or exchange of the permitted facilities. To assure marketability, an existing facility should be able to guarantee a reissuance of a permit to a new owner upon sale or exchange of the facility. This assurance should be provided under the proposed rule, but it should be contingent upon establishment of highest and best emission controls at the facility.

Mr. John Kowalczyk
May 30, 1975
Page 2

The criteria as proposed puts the incentive on completing an application and receiving a permit. The emphasis should be on an organized and well planned project. The inclusion of a construction schedule does monitor the viability of a project, however, allowing up to 18 months and a possibility of 30 months for initiation of construction is too long. This policy could result in over a two-year delay for an industry which is making a good faith effort because airshed capacity has been committed to a non-viable source.

A copy of this letter and a request to meet jointly to discuss the short- and long-term impact of the proposed rule has been forwarded to the City and County.

Thank you for the opportunity to make comments, and if you have any questions, please contact me.



Clifford Hudsick
Planning Manager

P16E



ENVIRONMENTAL QUALITY COMMISSION

1234 S.W. MORRISON STREET • PORTLAND, ORE. 97205 • Telephone (503) 229-5696

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The Dalles

KESSLER R. CANNON
Director

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item G, June 27, 1975, EQC Meeting

Consideration of Adoption of Proposed Temporary Rules Regarding Subsurface Sewage Disposal and Pertaining Specifically to (1) Increases in Certain Fees, (2) Granting of Variances, (3) Regional Modifications, (4) Reduced Setback from Intermittent Streams, and (5) Prior Approvals.

Background

Two recently enacted Bills, SB 297 which is now Chapter 167, Oregon Laws 1975, and SB 34, Chapter 309, Oregon Laws 1975, are now in effect and require early adoption of administrative rules for implementation of certain provisions contained therein.

SB 297 authorizes the Commission to increase greatly the fees charged for construction or installation permits and for site evaluation reports. Under the new law the construction permit fee which is now \$50 can be increased to \$100 and the site evaluation fee which is now \$25 can be increased to \$75. As in the previous law the site evaluation fee is a part of or applies toward the construction fee. The present alteration, repair or extension fee of \$15 can be increased to \$25. The \$100 sewage disposal service business license is to remain unchanged. These changes were approved by the Legislature in response to the requests of certain counties for larger fees in order to finance more adequately their program costs. The maximum fees allowed under this new law have also been approved by the Department's Citizens' Task Force (CTF) and the Department's appropriation bill for the 1975-1977 biennium as approved by the Legislature is based on charging the maximum amounts.



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SB 297 also provides that counties performing the subsurface program by contract with the Department may, if they so desire, request of the Commission the authority to charge fees less than the maximum if they can demonstrate the ability to finance their programs with lower fees.

SB 34 provides that the Commission may grant variances from the particular requirements of any rule or standard pertaining to subsurface sewage disposal under such conditions as it may consider necessary to protect the public health and welfare and to protect the waters of the state. The Commission is required to delegate the power to grant variances to special variance officers appointed by the Director. A maximum fee of \$150 can be charged each applicant for a variance. Counties may enter into agreements with the Department to perform the variance duties.

SB 297 also contains a provision which allows the Commission to adopt rules for subsurface sewage disposal that may vary in different areas or regions of the state in order to take advantage of differences in local conditions.

There are two other sections of the existing rules pertaining to subsurface sewage disposal which need to be considered further at this time. One of them pertains to prior approvals and the other to the minimum required setback from intermittent streams. At the May 23, 1975 Commission meeting the deadline date for applications for permits based on prior approval was changed from July 1, 1975 to September 1, 1975 and the date for completion of the installation of the systems under prior approval permits was changed from July 1, 1976 to September 1, 1976. The proposal that the minimum required setback from intermittent streams be changed from 100 feet to 50 feet was not acted on at the May 23rd Commission meeting.

Conclusions

1. It is necessary that the present rules (Sections 72-010 and 72-020) be amended by the Commission so as to conform to the changes made by the 1975 Legislature in ORS 454.745 with regard to increased fees and the requirement that governmental units which were previously exempt now be charged fees under this program. The proposed rule changes are contained in Item A of Attachment 1. In conformance with the Department's appropriation bill approved by the Legislature for the '75-'77 biennium the increased fees need to become effective July 1, 1975.

2. Pursuant to the provisions of SB 34 (Chapter 309, Oregon Laws 1975) which become effective on June 12, 1975 it is necessary that rules be adopted to establish criteria for the granting of variances, the appointment of variance officers, the submission of applications and the charging of fees. The proposed rules are contained in Attachment 2.

3. Pursuant to authority granted in Section 2 of SB 297, which became effective on May 19, 1975, it is advisable that regional rules be adopted to permit installation of subsurface sewage disposal systems in low rainfall areas where certain types of soils exist over shallow restrictive or impervious layers. Observations of systems previously installed under such conditions have indicated that with certain modifications they can be expected to operate satisfactorily. The proposed rules are contained in Attachment 3.

4. It has been determined that the required setback of subsurface systems from intermittent streams can be reduced from 100 feet to 50 feet without causing water pollution or creating a health hazard. This change will permit the development of certain parcels or lots which are not large enough to meet the present requirements. The change in this rule needs to be approved without delay in order to take advantage of the current building season. The proposed rule change is contained in Item B of Attachment 1.

5. It is the conclusion of the Department that the deadlines for prior approval permits and completion of construction adopted by the Commission on May 23, 1975, namely September 1, 1975 and September 1, 1976, respectively, should not be further extended. With the adoption by September 1, 1975 as mandated in SB 297 of alternative systems rules and the proposed adoption at this meeting of provisions for granting of variances pursuant to SB 34 there should no longer be any compelling reason for granting of permits based on prior approvals. It is recommended, however, that the present rule be amended to allow prior approval construction permits to be transferable during the life of the permit. This, for example, would allow a developer who had obtained a prior approval permit to transfer it to a new buyer before the deadline date. This proposed rule change is contained in Item C of Attachment 1.

6. Failure to act promptly in the adoption of rules pertaining to the aforementioned items will result in serious prejudice to the public interest for the specific reasons that the Department will be without authority to collect fees in the amounts directed by the Legislature and without proper criteria or standards for the granting of variances as authorized by legislative action, property owners in low rainfall areas with certain soil conditions or with small lots adjacent to intermittent streams will be prevented or unduly delayed in developing their properties, and the transfer of prior approval permits will be prohibited. Pursuant to ORS 183.335(2) the Commission may adopt temporary rules to be effective immediately upon filing with the Secretary of State and for a period of 120 days thereafter.

Recommendations

It is the Director's recommendation that the Commission take the following actions:

1. Enter a finding that failure to act promptly in the above matters will result in serious prejudice to the public interest for the specific reasons stated above, and
2. Adopt the proposals contained in attachments 1, 2 and 3 as temporary rules to be filed immediately with the Secretary of State and to become effective on July 1, 1975.



KESSLER R. CANNON
Director

KHS:vt
6/10/75
Attachments 1, 2 and 3

Proposed
Temporary Rules
Oregon Administrative Rules Chapter 340
Division 7

Item A

72-010(1) Delete the fee table and substitute the following:

"Subsurface or Alternative Sewage Disposal System		Fee
Construction Installation Permit	[\$50]	\$100
Alteration Permit	[\$15]	\$ 25
Repair Permit	[\$15]	\$ 25
Extension Permit	[\$15]	\$ 25
Sewage Disposal Service Business License	\$100"	

72-010(2) Delete the entire subsection. Renumber 72-010(3) as 72-010(2).

72-020(1) Evaluation Fees - Delete "\$25" and substitute "\$75".

72-020(2) Delete the entire subsection.

Substitute a new subsection 72-020(2) to read as follows:

"A twenty-five dollar (\$25) fee shall be charged for renewal of an expired permit issued under ORS 454.655."

Item B

71-020(2) Table of minimum separation distances. In subsection (c) of the table delete the following:

"or intermittent streams including groundwater interceptors and cut banks or ditches which intercept groundwater".

Add a new subsection (g) to read as follows:

"(g) Intermittent streams including groundwater interceptors and cut banks or ditches which intercept groundwater"

Sewage Disposal
Area

"50 ft."

Septic Tanks and
Other Treatment Units

"50 ft."

Item C

71-015(8) At the end of this subsection add the following sentence:

"Construction permits issued under this subsection are transferrable during the life of the permit".

Rules Pertaining to Granting of Variances

- I. DEFINITIONS. Definitions contained in OAR Chapter 340 71-010 shall apply as applicable.
- II. VARIANCES AUTHORIZED. Pursuant to authority granted by the Commission under the provisions of Chapter 309, Oregon Laws 1975, a special variance officer may grant specific variances from the particular requirements of the rules or standards pertaining to subsurface sewage disposal systems if he finds that:
 - (1) The subsurface sewage disposal system will function in a satisfactory manner so as not to create a public health hazard, or to cause water pollution; and
 - (2) Special physical conditions exist which render strict compliance unreasonable, burdensome or impractical.
- III. VARIANCES PROHIBITED.

No variance shall be granted for any parcel or lot that contains an area suitable for installation of a subsurface system that would comply with OAR 71-020 to 71-035.
- IV. VARIANCE CRITERIA. Variances may be granted where:
 - (1) Depth to impervious layer is less than thirty-six (36) inches.
 - (2) Depth to restrictive layer is less than thirty (30) inches.
 - (3) Depth to temporarily perched water is less than twenty-four (24) inches.
 - (4) The permanently perched water or permanent water table would be less than four (4) feet below the bottom of the absorption facility's effective sidewall.
 - (5) Slopes exceed twenty-five (25) percent.
 - (6) Depth to coarse grain material is less than thirty-six (36) inches.
 - (7) Minimum separation distances would be less than those specified in OAR 71-020(2).
 - (8) Cuts or fills exist.
- V. VARIANCE OFFICERS
 - (1) Variances may be granted only by special variance officers appointed by the director.
 - (2) To be appointed as "Acting Variance Officer" an individual must:
 - (a) Be a sanitarian registered under the provisions of ORS 700.020, unless otherwise qualified under ORS 700.025;
 - (b) Have three (3) years full time experience in subsurface sewage disposal methods since January 1, 1970; one year of which shall

have been in Oregon since January 1, 1974; and

- (c) Have attended one or more seminars, workshops or short courses pertaining to soils and their relationship to subsurface sewage disposal.
- (3) To be appointed "Variance Officer" an individual must in addition to the above requirements complete a course for variance officers developed, sponsored and conducted by the Department and Oregon State University.
- (4) Counties having in effect an agreement with the Department pursuant to ORS 454.725 to perform the duties of the Department under ORS 454.635, 454.655, 454.665 and 454.695 may request an agreement to perform the variance duties of the Department within that county. In case of such request, the county governing body shall submit for consideration of the director the name and credentials of the individual proposed for appointment as variance officer.

VI. APPLICATIONS

Applications shall be made to the Department or agreement county as appropriate. Each application shall be accompanied by a site evaluation denial, unless waived by the variance officer, and by plans and specifications for the proposed system for which a variance is being requested. Each request for a variance shall be heard by the appropriate variance officer within thirty (30) days after the date on which a completed application is received. A decision shall be made in writing by the variance officer within forty-five (45) days after completion of the hearing on the variance request. If the variance is granted the variance officer shall set forth the specifications, conditions and location of the proposed system. The variance shall run with the land. Each request for a variance shall be heard in the county within which the parcel of real property described in the request is located. The burden of presenting the supportive facts shall be the responsibility of the applicant.

VII. FEES

To meet administrative expenses of hearings, a nonrefundable fee of one hundred and fifty (150) dollars shall accompany each application for a variance to be acted upon by the Department. The Department shall disburse twenty-five (25) dollars of the variance fee to counties under agreement pursuant to ORS 454.725. Such counties shall issue construction permits, perform final inspection of installed systems and issue Certificates of Satisfactory Completion in cases where variances are granted. Fees submitted with applications to counties under agreement to perform variance

duties shall be in accordance with the fee schedule established by the county, not to exceed one hundred and fifty (150) dollars per application. Fees collected by a county with a variance agreement may be retained by that county to meet administrative expenses of hearings.

VIII. HEARINGS

The variance officer shall hold a public information type hearing on each application for a variance at which time the variance officer will receive pertinent testimony from any interested person. The variance officer may visit the site of the proposed system if he deems it necessary to his reaching a decision.

IX. APPEALS

Decisions of the variance officer to grant a variance may be appealed to the Environmental Quality Commission. A decision of the variance officer to deny a variance is final and not subject to administrative appeal.

X. INSPECTION OF INSTALLED SYSTEM

Each system installed as a result of a variance shall be inspected by the Department or by the county in counties under agreement pursuant to ORS 454.725. Systems found to be in compliance with the provisions of the construction permit and the conditions imposed therein shall be issued a certificate of satisfactory completion.

Systems failing to comply with the provisions of the construction permit and the conditions imposed therein shall not be operated or used until a certificate of satisfactory completion is issued.

XI. ADMINISTRATIVE REVIEW

The Department may review all records and files of variance officers to determine compliance or noncompliance with the provisions of these rules.

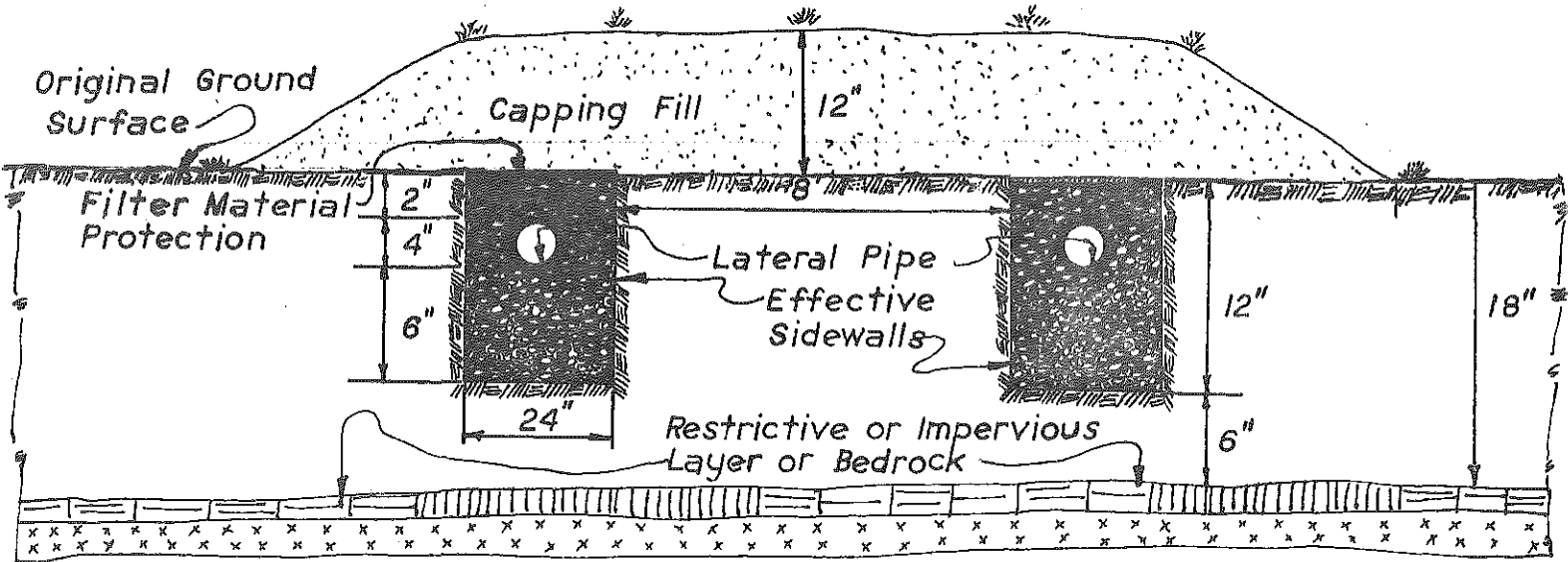
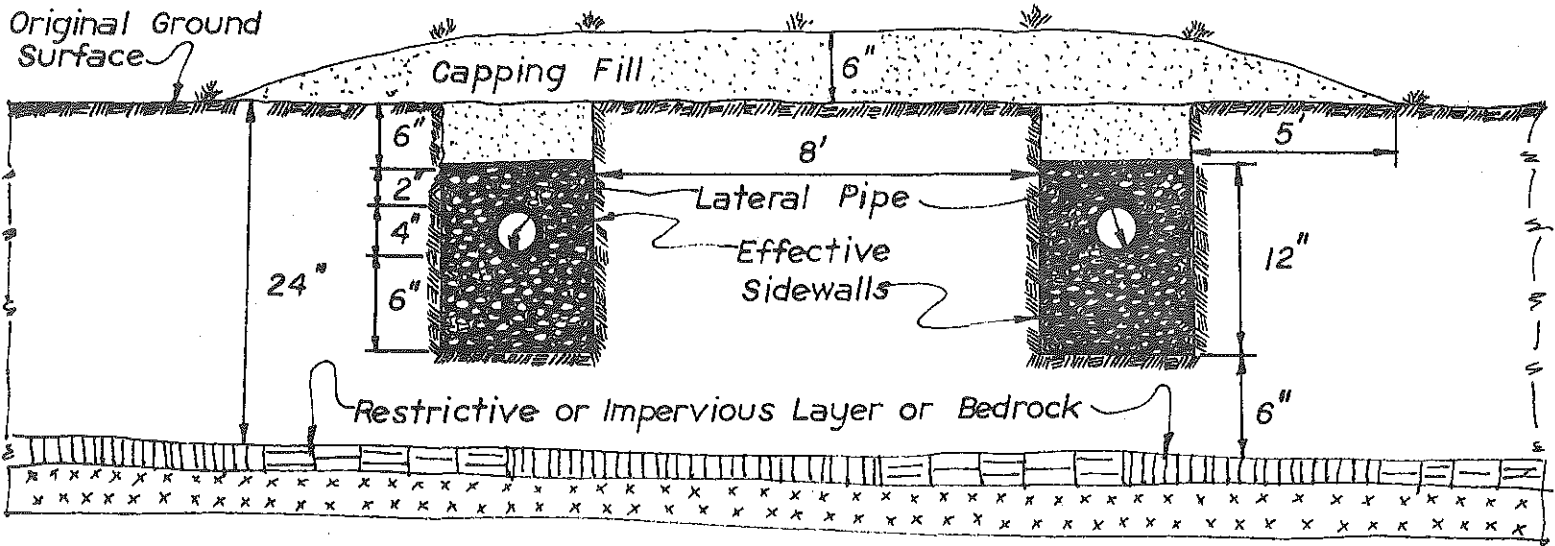
PROPOSED TEMPORARY
GEOGRAPHIC REGION RULES

Attachment 3

- I. DEFINITIONS (1) The definitions contained in ORS 454.605 and OAR 71-010 shall apply as applicable.
- (2) "Geographic Region Rule" - Means a subsurface sewage disposal rule that is applicable to certain geographic regions of the state but not to the entire state, as authorized in ORS 454.615 (1).
- II. GEOGRAPHIC REGION RULE A. (1) In areas where the mean annual precipitation does not exceed twenty (20) inches subsurface sewage construction permits may be issued for parcels of land with shallow top soil provided:
- (a) A restrictive or impervious layer, or bedrock, is not less than eighteen (18) inches below the ground surface.
 - (b) The soil is sand, loamy sand, sandy loam, loam, silt loam or silt (as defined in OAR 71-010 and as classified in soil textural classification chart) from the ground surface to the layer described in (a), or in areas where the mean annual precipitation does not exceed ten (10) inches the soil is sand, loamy sand, sandy loam, sandy clay loam, loam, clay loam, silt loam, silty clay loam or silt (as defined in OAR 71-010 and as classified in soil textural classification chart) from the ground surface to the layer described in (a).
 - (c) The slope of original ground surface does not exceed twelve percent (12%).
 - (d) The disposal trench is installed so that its bottom is not less than six (6) inches above the layer described in (a) and a capping fill of the same type soil as found in the uppermost horizon is installed in accordance with designs contained in Diagram 1 attached. The capping fill shall provide at least twelve (12) inches of cover, after settling, over the top of the gravel in the disposal trench. The system shall be sized according to 30" to restrictive layer in the table in OAR Chapter 340 71-030 (minimum sidewall seepage area in square feet per 150 gallons daily waste flow determined from type of soil versus depth of restrictive layer).
 - (e) The repair area shall not be disturbed.
 - (f) Vegetation shall be removed from the original soil surface.
 - (g) Serial distribution systems shall be used on original soil slopes of 3-12%. Where serial systems are used, the capping fill shall be sloped so as to extend a minimum of 25' downgrade from the lowest disposal trench.
 - (h) With the exception of the requirements in this subsection all other conditions required by OAR Chapter 340 71-005 through 71-035 and appendices must be met.
- (2) Two (2) four (4) inch monitoring wells may be required and shall be placed within the capping fill down to the restrictive layer and extending four (4) inches above finished grade.

June 10, 1975
Revision

DIAGRAM I





ENVIRONMENTAL QUALITY COMMISSION

1234 S.W. MORRISON STREET • PORTLAND, ORE. 97205 • Telephone (503) 229-5696

TOM McCALL
GOVERNOR

Memorandum

B. A. McPHILLIPS
Chairman, McMinnville

GRACE S. PHINNEY To: Environmental Quality Commission
Corvallis

JACKLYN L. HALLOCK From: Director
Portland

MORRIS K. CROTHERS Subject: Agenda Item No. I, June 27, 1975, EQC Meeting
Salem

RONALD M. SOMERS Variance Request: Willamette Industries
The Dalles Sweet Home, Linn County, Oregon

KESSLER R. CANNON
Director

Background

Willamette Industries, Sweet Home Division, applied to the Mid-Willamette Valley Air Pollution Authority (MWVAPA) for a variance from MWR 33-005 which prohibits open burning by industrial sources. Willamette Industries wishes to burn about 500 cubic yards of wood waste which has accumulated at their mill disposal site. The wood waste consists of demolition material and charred log remains which are contaminated with either metal hardware or rock and dirt debris. The demolition material is located on a bluff, while the log ends are located nearby in a low area.

After conducting an inspection visit of the disposal site, the Regional Authority recommended that its Board deny the variance request. However, the Board granted the variance request at its June 10, 1975, meeting for a one-time burn and subject to certain requirements and limitations; the Regional Authority is now in agreement with the imposed limitations and restrictions.

Copies of both the variance request from the Regional Authority and the Order Granting the Variance are attached.

Discussion

Field personnel from the MWVAPA conducted an inspection of the disposal site on May 20, 1975, with Mr. Chuck Russel of Willamette Industries. The Regional Authority concluded in their variance request report that:

1. A majority of the material to be burned is demolition material, not sawmill residue.



Contains
Recycled
Materials

2. The disposal site has been owned by Willamette Industries for many years and the wood waste has accumulated there over the past several years.
3. No alternative methods of disposal, especially for the demolition debris, have been developed, despite knowledge about the prohibition on industrial burning.
4. Part of the wood waste, the log remains, could be buried, as they are located in a low area.

Based on these conclusions, the Regional Authority recommended denial of the variance request. Their chief concerns were:

1. Demolition material should be disposed of in a landfill or by using a controlled combustion device, such as a Port-a-Pit incinerator, not by open burning.
2. Considering the length of time that Willamette Industries has owned and managed the Sweet Home site, alternate means for disposing of the wood waste should have been developed.
3. Finally, that by granting a variance for open burning this year, Willamette Industries might anticipate requesting and receiving an open burning variance for similar circumstances in the future.

The Board found in their hearing that "other methods of disposal are not feasible or practical, and [that] if such piles of material are not disposed of [they] will constitute a fire hazard. The Board also concluded that therefore the variance could be granted on grounds that strict compliance with the rules of this Authority would be burdensome and impractical.

Conclusions:

1. The Board of the Regional Authority (MWVAPA) approved a variance request from Willamette Industries for a one-time open burning of mill demolition material.
2. The open burning will include only wood waste.
3. The open burning is not expected to cause a violation of ambient air quality standards.
4. The Regional Authority has some legitimate concerns, mainly that in the future Willamette Industries should consider alternatives to disposing the demolition debris by open burning and that granting this variance request does not encourage the company to anticipate another open burning variance for similar circumstances in the future.


5. The Environmental Quality Commission is empowered by ORS 468.345 to grant this variance.

Director's Recommendation

It is the Director's recommendation that the Environmental Quality Commission approve the variance request granted by the Board of Directors of the Mid Willamette Valley Air Pollution Authority as submitted.

The variance granted by the Board permits Willamette Industries, Inc., a one-time open burning of mill demolition material at their Sweet Home sawmill plant site in Linn County, Oregon, subject to the following requirements and limitations:

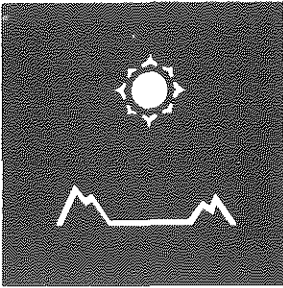
1. The material shall be bunched into piles that can be burned safely and in a controlled manner.
2. The piles shall be as free of dirt as possible.
3. Auxiliary equipment such as fans shall be used so that combustion is essentially complete.
4. Twenty-four hour surveillance of the fire shall be conducted with restacking accomplished when necessary.
5. After disposal has begun at the site, burning shall be completed after three calendar days.



KESSLER R. CANNON
Director

Attachments

AFB:6/19/75



MID WILLAMETTE VALLEY AIR POLLUTION AUTHORITY

2585 STATE STREET / SALEM, OREGON 97301 / TELEPHONE AC 503 / 581-1715

June 16, 1975

Kessler Cannon, Director
Department of Environmental Quality
1234 S.W. Morrison
Portland, Oregon 97205

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
JUN 17 1975

OFFICE OF THE DIRECTOR

SUBJ: VARIANCE GRANTED BY THE MID-WILLAMETTE VALLEY AIR POLLUTION
AUTHORITY TO WILLAMETTE INDUSTRIES, SWEET HOME

Dear Mr. Cannon:

Pursuant to ORS 468.345, enclosed for your review is a copy of
a variance granted to Willamette Industries on June 10, 1975
to open burn wood demolition material at their Sweet Home plant.
Also enclosed is a copy of the staff report concerning this
variance request presented to the Authority's Board of Directors.

If you have any questions on this matter, please do not hesitate
to contact the Authority.

Sincerely,

A handwritten signature in cursive script that reads "David St. Louis".

David St. Louis
Acting Interim Director

DS/ls/023

Encl.

1. The material shall be bunched into piles that can be burned safely and in a controlled manner.
2. The piles shall be as free of dirt as possible.
3. Auxiliary equipment such as fans shall be used so that combustion is essentially complete.
4. Twenty-four hour surveillance of the fire shall be conducted with restacking accomplished when necessary.
5. After disposal has begun at the site, burning shall be completed after three calendar days.

IT IS FURTHER ORDERED that a true copy of this order shall be forthwith filed with the Oregon Environmental Quality Commission and a true copy forthwith mailed to Willamette Industries, Inc.

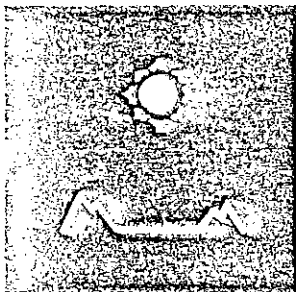
DATED this 16TH day of June, 1975.

MID-WILLAMETTE VALLEY AIR
POLLUTION AUTHORITY

By Ferry Carson Jr. Chairman

Attest:

David St. Louis
Acting Director



MID WILLAMETTE VALLEY AIR POLLUTION AUTHORITY

2585 STATE STREET / SALEM, OREGON 97301 / TELEPHONE AC 503 / 581 - 1715

To: Board of Directors
From: David St. Louis
Date: June 10, 1975

Subj: Variance Request - Willamette Industries, Sweet Home

Background

Willamette Industries, Sweet Home Division, has applied to the Authority for a variance from MWR 33-005 which prohibits open burning by industrial sources. The company has requested to burn log ends and pieces which are charred remains of the plant's abandoned burning dump and wood demolition material which has been accumulating at the dumpsite for several years.

Discussion

An inspection of the site conducted on May 20, 1975 with Mr. Chuck Russell of Willamette Industries, revealed approximately 500 cubic yards of demolition material consisting of timbers, planks, and other debris situated on the top of the ridge forming the dump site and an undetermined amount of charred log remains in a ditch at the bottom. The demolition material appeared to contain too much contamination material to be chipped or used as hogfuel. The log remains at the bottom of the site were mixed with a number of discarded oil drums, a piece of old furniture, and other debris which has been dumped at the site.

The closest public landfill to the site is Lebanon, which can take the material. Costs involved in hauling the debris to the site were not available.

At the present time the material does not present a fire hazard, however this situation will soon change.

Willamette Industries does not own an air curtain incinerator and the leasing and transporting of one to this area would be impractical due to the limited amount of material to be burned.

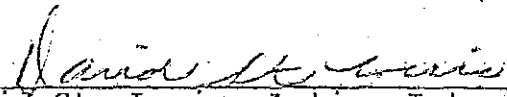
Conclusions

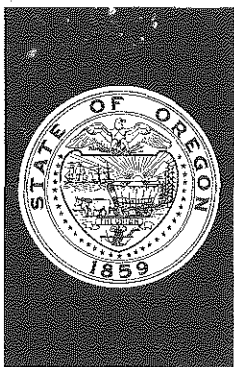
1. The majority of the material requested to be burned is demolition material and not sawmill residue which results from the processing of timber.

2. The property has been under the control of Willamette Industries for many years, unlike the recently acquired Bauman and Indianola plants at which burning of accumulated sawmill residue was allowed last month under a variance.
3. No alternate means of disposal has been developed as debris has been accumulating on the site for several years despite knowledge of the ban on industrial open burning.
4. Discussion with DEQ personnel has revealed that the log remains in the low area could be buried once the oil drums are removed.

Director's Recommendation

The Director recommends, in light of the above conclusions, that the request for a variance from the open burning regulations be denied.


David St. Louis, Acting Interim Director



ENVIRONMENTAL QUALITY COMMISSION

1234 S.W. MORRISON STREET • PORTLAND, ORE. 97205 • Telephone (503) 229-5696

Robert W. Straub
GOVERNOR

MEMORANDUM

B. A. McPHILLIPS
Chairman, McMinnville

GRACE S. PHINNEY
Corvallis

JACKLYN L. HALLOCK
Portland

MORRIS K. CROTHERS
Salem

RONALD M. SOMERS
The Dalles

—
KESSLER R. CANNON
Director

To: Environmental Quality Commission
From: Director
Subject: Agenda Item J, EQC Meeting, June 27, 1975
Open Field Burning Status Report

Subsequent to the passage of Senate Bill 311, which requires open field burning to be phased down to not more than 50,000 acres after 1977 rather than being banned after January 1, 1975, the Department is considering the necessary modification to OAR Chapter 340, Sections 26-005 through 26-020.

A proposed rule will be available for review and comment by the Commission at the June 27, 1975 meeting. This draft rule will not be complete due to the time constraints.

A final proposed rule will be presented to the Commission for its consideration at a special hearing to be held for the express purpose of receiving testimony pertaining to and the consideration for the adoption of the rules dealing with open field burning, on or before July 10, 1975.

Attachment - SB 311

KESSLER R. CANNON
Director



Contains
Recycled
Materials

RLV:h 6/20/75

C-ENGROSSED

Senate Bill 311

Ordered by the Senate June 14
(Including Amendments by Senate March 31 and by House June 5
and by Second Conference Committee June 14)

Sponsored by Senators GROENER, THORNE, POWELL, Representatives
BYERS, BUNN, GROENER, JONES, LINDQUIST, WALDEN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires field burning permits to be issued in certain counties by Department of Environmental Quality. Permits Environmental Quality Commission to delegate duty to deliver permits to county governing body or fire chief of rural fire protection district.

Requires field burning, instead of being banned after January 1, 1975, to be phased down to not more than [50,000 acres after 1977] 95,000 acres in 1977. Thereafter, permits for the burning of not more than 50,000 acres may be issued after taking into consideration certain factors. Requires commission and legislative committee to report to Fifty-ninth Legislative Assembly recommendations for possible modifications. Permits Governor to allow exceptions in case of extreme hardship or other specified conditions. States legislative policy that permits are to be issued for burning maximum acreages specified only upon certain conditions.

Requires Environmental Quality Commission, in making rules governing field burning, to consult with certain other agencies and permits it to consult with certain other agencies.

Requires person seeking permit for field burning to submit statement that acreage to be burned will be planted to seed crops other than cereal grains which require burning. Permits contrary planting in case of crop failure.

Continued on page 2

NOTE: Matter in bold face in an amended section is new; matter [italic and bracketed] is existing law to be omitted; complete new sections begin with SECTION.

Continued from page 1

Creates Oregon Field Sanitation Committee to replace present field burning committee. Prescribes membership and duties of committee. Makes committee special advisory committee to commission in adopting rules related to field burning. Requires committee to report quarterly to Legislative Committee on Trade and Economic Development. Authorizes committee to assist persons wishing to use alternative methods of field sanitation and straw utilization by assisting in purchase and lease.

Requires annual registration with county governing body or fire chief of rural fire protection district of acreage to be burned. Requires fee for permit by department of \$3 per acre in 1975, \$4 per acre in 1976, \$5.50 per acre in 1977 and \$8 per acre thereafter. Requires refunding of fee where burning is accomplished by mobile sanitizer. [*Requires refunding of one-half of fee where straw was removed prior to burning.*] Requires payment of 20 cents per acre of fee to county governing body or rural fire protection district for administration of registration. Requires 50 cents of acreage fees to be deposited in smoke management fund. Includes approved alternative field sanitation and straw utilization and disposal methods within definition of "pollution control facility" for purposes of tax credits.

Provides civil penalties.

Makes related changes.

Declares emergency.

1 A BILL FOR AN ACT

2 Relating to field burning; creating new provisions; amending ORS 468.140,
3 468.290, 468.455, 468.460, 468.465, 468.470, 468.475, 468.480 and 468.485;
4 appropriating money; and declaring an emergency.

5 Be It Enacted by the People of the State of Oregon:

6 SECTION 1. Section 2 of this Act is added to and made a part of ORS
7 468.455 to 468.485.

8 SECTION 2. (1) On and after January 1, 1975, permits for open burn-
9 ing of perennial grass seed crops, annual grass seed crops and cereal grain
10 crops are required in the counties listed in subsection (2) of ORS 468.460
11 and shall be issued by the Department of Environmental Quality in accord-
12 ance with air pollution control practices and subject to the fee prescribed
13 in ORS 468.480. The permit described in this section shall be issued in con-
14 junction with permits required under ORS 476.380 or 478.960.

15 (2) The Environmental Quality Commission may by rule delegate to
16 any county court or board of county commissioners or fire chief of a rural
17 fire protection district the duty to deliver permits to burn acreage provided
18 such acreage has been registered pursuant to paragraph (a) of subsection
19 (1) of ORS 468.480 and fees have been paid pursuant to paragraph (b) of
20 subsection (1) of ORS 468.480.

21 Section 3. ORS 468.290 is amended to read:

22 468.290. Except as provided in this section and in ORS 468.450, 476.380
23 and 478.960, the air pollution laws contained in [ORS 448.305, 454.010 to
24 454.040, 454.205 to 454.255, 454.315 to 454.355, 454.405 to 454.425, 454.505 to
25 454.535, 454.605 to 454.745 and] this chapter do not apply to:

26 (1) Agricultural operations and the growing or harvesting of crops
27 and the raising of fowls or animals, except field burning which shall be
28 subject to regulation [under this section, ORS 468.455 to 468.485, 476.380,
29 476.990, 478.960 and 478.990] pursuant to this 1975 Act ;

30 (2) Use of equipment in agricultural operations in the growth of crops
31 or the raising of fowls or animals, except field burning which shall be sub-
32 ject to regulation [under this section, ORS 468.455 to 468.485, 476.380, 476.990,
33 478.960 and 478.990] pursuant to this 1975 Act ;

- 1 (3) Barbecue equipment used in connection with any residence;
- 2 (4) Agricultural land clearing operations or land grading;
- 3 (5) Heating equipment in or used in connection with residences used
4 exclusively as dwellings for not more than four families;
- 5 (6) Fires set or permitted by any public agency when such fire is
6 set or permitted in the performance of its official duty for the purpose
7 of weed abatement, prevention or elimination of a fire hazard, or instruc-
8 tion of employees in the methods of fire fighting, which in the opinion of
9 the agency is necessary; or
- 10 (7) Fires set pursuant to permit for the purpose of instruction of em-
11 ployes of private industrial concerns in methods of fire fighting, or for
12 civil defense instruction.

13 Section 4. ORS 468.455 is amended to read:

14 468.455. In a concerted effort by agricultural interests and the public
15 to overcome problems of air pollution, it is the purpose of [ORS 468.455 to
16 468.485, 476.380 and 478.960 to phase out open field burning in the counties
17 listed in subsection (2) of ORS 468.460 when a feasible alternative method
18 of field sanitation becomes available, to fix a specified date for termination
19 of open field burning and, further, to encourage stabilized acreage until
20 feasible alternative methods of field sanitation become available] this 1975
21 Act to provide incentives for development of alternatives to open field
22 burning, to phase out open field burning and to develop feasible alternative
23 methods of field sanitation and straw utilization and disposal.

24 Section 5. ORS 468.460 is amended to read:

25 468.460. [After an alternative method of field sanitation is certified
26 under ORS 468.470, and becomes available as provided in subsection (2)
27 of ORS 468.470;] in order to regulate open field burning pursuant to ORS
28 468.475:

- 29 (1) In such areas of the state and for such periods of time as it considers
30 necessary to carry out the policy of ORS 468.280, the commission by rule
31 may prohibit, restrict or limit classes, types and extent and amount of
32 burning for perennial grass seed crops, annual grass seed crops [,] and
33 grain crops [and other burning].

1 (2) In addition to but not in lieu of the provisions of ORS 468.475 and of
2 any other rule adopted under subsection (1) of this section, the commission
3 shall adopt rules for Multnomah, Washington, Clackamas, Marion, Polk,
4 Yamhill, Linn, Benton and Lane Counties, which provide for a more rapid
5 phased reduction by certain permit areas, depending on particular local air
6 quality conditions and soil characteristics, [of] the extent, type or amount
7 of open field burning of perennial grass seed crops, annual grass seed crops
8 and grain crops [after an] and the availability of alternative [method is]
9 methods of field sanitation and straw utilization and disposal. [certified
10 under ORS 468.470.]

11 (3) Before promulgating rules pursuant to subsections (1) and (2) of
12 this section, the commission shall consult with Oregon State University
13 and the Oregon Field Sanitation Committee and may consult with the Soil
14 Conservation Service, the Agricultural Stabilization Commission, the State
15 Soil and Water Conservation Commission and other interested agencies.
16 The Oregon Field Sanitation Committee shall act as a special advisory
17 committee to the commission in the promulgation of such rules. The com-
18 mission must review and show on the record the recommendations of the
19 Oregon Field Sanitation Committee in promulgating such rules.

20 [(3)] (4) No regional air quality control authority shall have author-
21 ity to regulate burning of perennial grass seed crops, annual grass seed
22 crops and grain crops.

23 Section 6. ORS 468.465 is amended to read:

24 468.465. (1) Permits under [ORS 476.380 and 478.960] section 2 of this
25 1975 Act for open field burning of cereal grain crops shall be issued in the
26 counties listed in subsection (2) of ORS 468.460 only if the person seeking
27 the permit submits to the issuing authority a signed statement under oath
28 or affirmation that the acreage to be burned will be planted to seed crops
29 other than cereal grains which require flame sanitation for proper culti-
30 vation. [fall legumes or perennial grasses. However, no open field burning
31 of cereal crops shall be permitted in the counties listed in subsection (2)
32 of ORS 468.460 after January 1, 1975.]

1 (2) The department shall inspect cereal grain crop acreage burned pur-
2 suant to subsection (1) of this section after planting in the following spring
3 to determine compliance with subsection (1) of this section.

4 (3) Any person planting contrary to the restrictions of subsection (1)
5 of this section shall be assessed by the department a civil penalty of \$25
6 for each acre planted contrary to the restrictions. Any fines collected by
7 the department pursuant to this subsection shall be used by the department
8 for a smoke management program in cooperation with the Oregon Seed
9 Council and for administration of this section.

10 (4) Any person planting seed crops after burning cereal grain crops
11 pursuant to subsection (1) of this section may apply to the department for
12 permission to plant contrary to the restrictions of subsection (1) of this
13 section if the seed crop fails to grow. The department may allow planting
14 contrary to the restrictions of subsection (1) of this section if the crop
15 failure occurred by reasons other than the negligence or intentional act of
16 the person planting the crop or one under his control.

17 Section 7. ORS 468.470 is amended to read:

18 468.470. *[(1) Except as provided in ORS 468.475, open field burning of*
19 *perennial grass seed crops and annual grass seed crops shall be subject to*
20 *regulation under ORS 468.450, 476.380 and 478.960 only until a committee*
21 *described in subsection (3) of this section certifies the availability of a*
22 *successful, feasible alternative to open field burning in sufficient quantity*
23 *to sanitize grass fields. For the purposes of ORS 468.450, 476.380 and 478.960,*
24 *annual grass seed crops, perennial grass seed crops and grain or grass stub-*
25 *ble shall be considered to be combustible material.]*

26 *[(2) As such alternative methods become available in quantity suffi-*
27 *cient to allow phased reduction in burning, the commission may begin to*
28 *phase out in proportion to such availability the burning described in ORS*
29 *468.460.]*

30 *[(3) The committee shall consist of two members representing agri-*
31 *culture appointed by the Director of Agriculture from a list of five nom-*
32 *inees submitted by the Oregon Seed Council, two members representing the*
33 *public appointed by the director of the department and a fifth member*

1 appointed by the Governor. Members shall be persons knowledgeable con-
2 cerning agricultural practices and air quality control practices which are
3 the subject of ORS 468.455 to 468.485.]

4 [(4) In addition to its other duties under this section, the committee
5 shall monitor the programs for development of feasible alternative methods
6 of field sanitation, shall make recommendations for the research and de-
7 velopment of such methods to the Joint Committee on Ways and Means
8 during the legislative session or to the Emergency Board during interim
9 periods and, after consultation with the department, shall establish stand-
10 ards under which certified alternatives are to operate as long as the com-
11 mittee is in existence.]

12 [(5) In exercising its duties under subsections (1) and (4) of this sec-
13 tion, the committee shall certify alternatives and establish standards only
14 after public hearing at which interested persons are afforded an oppor-
15 tunity to be heard and for which notice is given in a manner reasonably
16 calculated to notify interested persons of the time, place and subject of the
17 hearing.]

18 (1) The Oregon Field Sanitation Committee is established and for the
19 purposes of this 1975 Act shall be referred to as the "committee." The
20 committee shall consist of two members representing agriculture appointed
21 by the Director of Agriculture from a list of five nominees submitted by
22 the Oregon Seed Council, two members representing the public appointed
23 by the director of the department and a fifth member appointed by the
24 Governor. Members shall be persons knowledgeable concerning agricul-
25 tural practices and air quality control practices which are the subject of
26 ORS 468.455 to 468.485.

27 (2) The committee shall assume the duties and responsibilities formerly
28 held by the field burning committee established pursuant to section 4,
29 chapter 563, Oregon Laws 1971 (regular session), which committee is abol-
30 ished. However, members of the field burning committee shall be the mem-
31 bers of the field sanitation committee until their terms expire pursuant to
32 subsection (3) of this section.

33 (3) The term of office of each member of the committee is four years,

1 but a member may be removed for cause. By lot, the committee shall select
2 two of its members whose terms expire on December 31, 1976 and one of its
3 members whose term expires December 31, 1977. The remaining members'
4 terms shall expire on December 31, 1978.

5 (4) The committee shall:

6 (a) Monitor and conduct programs for development of feasible alterna-
7 tive methods of field sanitation and straw utilization and disposal;

8 (b) Make recommendations for research and development of alterna-
9 tive methods;

10 (c) Provide assistance to persons wishing to obtain the use of feasible
11 methods of field sanitation and straw utilization and disposal and, in so
12 doing, assist in purchasing, purchase and lease to users, and promote ex-
13 tensive use of such methods;

14 (d) Receive and disburse funds, including but not limited to voluntary
15 contributions from within and outside this state, grants and gifts; and

16 (e) Report quarterly to the Legislative Committee on Trade and Eco-
17 nomic Development on the progress being made in discovering and utiliz-
18 ing alternatives to open field burning.

19 (5) Subject to the approval of the Executive Department, the commit-
20 tee may:

21 (a) Enter into contracts with public and private agencies to carry
22 out the purposes of demonstration of alternatives to agricultural open field
23 burning;

24 (b) Apply for and obtain patents in the name of the State of Oregon
25 and assign such rights therein as the committee considers appropriate;

26 (c) Employ such personnel as is required to carry out the duties
27 assigned to it; and

28 (d) Sell and dispose of all surplus property of the committee, includ-
29 ing but not limited to straw-based products produced or manufactured by
30 the committee.

31 SECTION 8. Sections 9 and 10 of this Act are added to and made a
32 part of ORS 468.455 to 468.485.

33 SECTION 9. The commission shall establish emission standards for
34 certified alternative methods to open field burning.

1 SECTION 10. The department, in coordinating efforts under this 1975
2 Act, shall:

- 3 (1) Enforce all field burning rules adopted by the commission and all
4 related statutes;
- 5 (2) Monitor and prevent unlawful field burning; and
- 6 (3) Aid fire districts in carrying out their responsibilities for admin-
7 istering field sanitation programs.

8 Section 11. ORS 468.475 is amended to read:

9 468.475. [After January 1, 1975,] (1) No person shall open burn or
10 cause to be open burned in the counties specified in subsection (2) of ORS
11 468.460, perennial [*grass seed crops used for grass seed production*] or an-
12 nual grass seed crops used for grass seed production [.] or cereal grain
13 crops, unless the acreage has been registered pursuant to ORS 468.480 and
14 the permits required by ORS 468.450, 476.380, 478.960 and section 2 of this
15 1975 Act have been obtained.

16 (2) Except as may be provided by rule under ORS 468.460, the maxi-
17 mum total registered acreage allowed to be open burned pursuant to sub-
18 section (1) of this section shall be as follows:

- 19 (a) During 1975, not more than 235,000 acres may be burned.
- 20 (b) During 1976, not more than 195,000 acres may be burned.
- 21 (c) During 1977, not more than 95,000 acres may be burned.
- 22 (d) In 1978 and each year thereafter, the commission, after taking into
23 consideration the factors listed in subsection (2) of ORS 468.460, may by
24 order issue permits for the burning of not more than 50,000 acres.
- 25 (e) The acreage amounts provided in paragraphs (c) and (d) of this
26 subsection are declared to be the goals of the Fifty-eighth Legislative As-
27 sembly. The commission and the Legislative Committee on Trade and Eco-
28 nomic Development shall report to the Fifty-ninth Legislative Assembly
29 with their recommendations for possible modifications.

30 (3) In the event of the registration of more than the maximum allow-
31 able acres for open burning in the counties specified in subsection (2) of
32 ORS 468.460, the commission, after consultation with the committee, by
33 rule or order may allocate permits for acreage based on particular local air

1 quality condition, soil characteristics, the type or amount of field burning
2 or crops, the availability of alternative methods of field sanitation, the
3 date of registration, proportional share, or any reasonable classification.
4 Priority shall be given to use of available alternatives to open field burning
5 in Lane County and priority areas in other counties listed in subsection (2)
6 of ORS 468.460.

7 (4) It is the intention of the Legislative Assembly that permits shall
8 be issued for the maximum acreage specified in subsection (2) of this
9 section for each year recited therein only if the commission finds after
10 hearing that:

11 (a) There are insufficient numbers of workable machines that can rea-
12 sonably be made available to sanitize the acreage if an acreage reduction
13 is ordered;

14 (b) There are insufficient methods available for straw utilization and
15 disposal; and

16 (c) Reasonable efforts have been made to develop alternative methods
17 of field sanitation and straw utilization and disposal, and such methods have
18 been utilized to the maximum reasonable extent.

19 (5) The Governor, upon finding of extreme hardship, disease out-
20 break, insect infestation or irreparable damage to the land, may by order
21 permit emergency open burning of more acreage than allowed by subsection
22 (2) of this section. Upon a finding of extreme danger to public health or
23 safety, the Governor may order temporary emergency cessation of all open
24 field burning in any area of the counties listed in subsection (2) of ORS
25 468.460.

26 (6) The commission shall act on any application for a permit under sec-
27 tion 2 of this 1975 Act within 60 days of registration and receipt of the fee
28 provided in ORS 468.480. Such other decisions as may be required under
29 this section must be made by the commission on or before July 10, 1975,
30 and on or before June 1 of each subsequent year.

31 Section 12. ORS 468.480 is amended to read:

32 468.480. (1) (a) On or before July 1, 1975, and on or before April 1
33 of each subsequent year, the grower of a grass seed crop shall register with
34 the county court or board of county commissioners or the fire chief of a

1 rural fire protection district, or his designated representative, the num-
2 ber of acres to be burned in the remainder of the year. Any person register-
3 ing after the dates specified in this subsection shall pay an additional fee
4 of \$1 per acre registered if the late registration is due to the fault of the
5 late registrant or one under his control. Late registrations must be ap-
6 proved by the department. Copies of the registration form shall be for-
7 warded to the department. The required registration must be made and
8 the fee paid before a permit shall be issued under section 2 of this 1975 Act.

9 (b) Except as provided in paragraph (c) of this subsection, after the
10 effective date of this 1975 Act, the Executive Department shall collect a fee
11 prior to the issuance of any permit by the Department of Environmental
12 Quality for open burning of perennial or annual grass seed crops or cereal
13 grain crops under this 1975 Act. The Executive Department may contract
14 with counties and rural fire protection districts for the collection of the
15 fees which shall be forwarded to the Executive Department. The amount
16 of the fee shall be \$3 in 1975, \$4 in 1976, \$5.50 in 1977, and \$8 in any year
17 thereafter, per acre of crop burned.

18 (c) The fee required by paragraph (b) of this subsection shall be re-
19 funded for any acreage where efficient burning of stubble is accomplished
20 with equipment using an auxiliary fuel or mobile field sanitizer which has
21 been approved by the committee and the department for field sanitizing
22 purposes or for any acreage not burned.

23 (2) The Executive Department shall pay to the county or board of
24 county commissioners or the fire chief of the rural fire protection district,
25 not to exceed 20 cents per acre registered, to cover the cost of and to be
26 used solely for the purpose of administering the program of registration of
27 acreage to be burned, issuance of permits, keeping of records and other
28 matters directly related to agricultural field burning. Fifty cents of the
29 acreage fees shall be deposited in a separate fund to be used for the smoke
30 management program which shall be conducted by the Department of
31 Environmental Quality in cooperation with the Oregon Seed Council and
32 other affected agencies. The Department of Environmental Quality shall
33 contract with the Oregon Seed Council to organize rural fire protection

1 districts and growers, coordinate and provide communications, hire ground
2 support personnel, provide aircraft surveillance, provide such added other
3 support services as are mutually agreed upon and advise the department
4 when crops in each area are ready for burning. However, if a reasonable
5 contract cannot be agreed upon, the department shall provide such serv-
6 ices directly or by contracting with such other entity as it reasonably
7 shall determine.

8 (3) The Executive Department shall cause the balance of acreage fees
9 received pursuant to subsection (1) of this section to be deposited in the
10 State Treasury to be credited to the account of the committee established
11 under ORS 468.470 for use as provided in ORS 468.485. [*Until and alter-*
12 *native method is certified under ORS 468.470, or until January 1, 1975,*
13 *whichever occurs first, the county court, board of county commissioners*
14 *or the fire chief or his designated representative shall collect a fee, except*
15 *as provided in paragraph (b) of this subsection, prior to issuing any per-*
16 *mit for the open burning of perennial or annual grass seed crops, or*
17 *grain crops under ORS 476.380 or 478.960. The amount of the fee shall be*
18 *determined by the committee established pursuant to ORS 468.470 and*
19 *shall not exceed \$1 per acre of crop burned.*]

20 [(b) The fee required by paragraph (a) of this subsection shall not
21 be collected where efficient burning of stubble is accomplished with equip-
22 ment using auxiliary fuel or a mobile field sanitizer which equipment
23 or sanitizer has been approved by the committee and the department for
24 field sanitizing purposes.]

25 [(2) The collecting officer shall retain such portion of the acreage fees
26 received pursuant to subsection (1) of this section as is sufficient, in the
27 judgment of the committee, in consultation with the collecting officers,
28 to cover the cost of and to be used solely for the purpose of administering
29 a program of registration of fields to be burned, collection of fees, issuance
30 of permits, keeping of records and other matters directly related to agri-
31 cultural open field burning. Ten cents of the acreage fee shall be deposited
32 in a separate fund to be used for a smoke management program which
33 shall be conducted by the Oregon Seed Council in cooperation with the
34 department.]

1 [(3) The collecting officer shall cause the balance of acreage fees re-
2 ceived pursuant to subsection (1) of this section to be credited to the ac-
3 count of the committee established under ORS 468.470 for use as provided
4 in ORS 468.485.]

5 [(4) Nothing in this section relieves any person from the requirements
6 of obtaining a burning permit in accordance with ORS 476.380 and 478.960.]

7 Section 13. ORS 468.485 is amended to read:
8 468.485. All moneys [from acreage fees] collected under paragraph
9 (b) of subsection (1) of ORS 468.480 [and under section 2, chapter 578,
10 Oregon Laws 1973, received by the committee established pursuant to ORS
11 468.470] or received pursuant to this 1975 Act, except fines, shall be segre-
12 gated from other funds and used solely for [smoke management and] ad-
13 ministrative expenses of the committee and for development and demon-
14 stration of alternatives to agricultural open field burning and methods of
15 straw utilization and disposal. [The committee may enter into contracts
16 with public and private agencies to carry out the purposes of this section.
17 The committee shall give first priority to the development of and demon-
18 stration of the feasibility of a mobile field incinerator.]

19 Section 14. ORS 468.140 is amended to read:

20 468.140. (1) In addition to any other penalty provided by law, any
21 person who violates any of the following shall incur a civil penalty for each
22 day of violation in the amount prescribed by the schedule adopted under
23 ORS 468.130:

24 (a) The terms or conditions of any permit required or authorized
25 by law and issued by the department or a regional air quality control
26 authority.

27 (b) Any provision of ORS 448.305, 454.010 to 454.040, 454.205 to 454.255,
28 454.315 to 454.355, 454.405 to 454.425, 454.505 to 454.535, 454.605 to 454.745
29 and this chapter.

30 (c) Any rule or standard or order of the commission adopted or issued
31 pursuant to ORS 448.305, 454.010 to 454.040, 454.205 to 454.255, 454.315 to
32 454.355, 454.405 to 454.425, 454.505 to 454.535, 454.605 to 454.745 and this
33 chapter.

1 (d) Any rule or standard or order of a regional authority adopted or
2 issued under authority of subsection (1) of ORS 468.535.

3 (2) Each day of violation under subsection (1) of this section constitutes
4 a separate offense.

5 (3) (a) In addition to any other penalty provided by law, any person
6 who intentionally or negligently causes or permits the discharge of oil
7 into the waters of the state shall incur a civil penalty not to exceed
8 the amount of \$20,000 for each violation.

9 (b) In addition to any other penalty provided by law, any person
10 who violates the terms or conditions of a permit authorizing waste dis-
11 charge into the waters of the state or violates any law, rule, order or
12 standard in ORS 448.305, 454.010 to 454.040, 454.205 to 454.255, 454.315 to
13 454.355, 454.405 to 454.425, 454.505 to 454.535, 454.605 to 454.745 and this
14 chapter relating to water pollution shall incur a civil penalty not to exceed
15 the amount of \$10,000 for each day of violation.

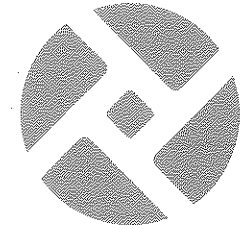
16 (4) Paragraphs (c) and (d) of subsection (1) of this section do not
17 apply to violations of motor vehicle emission standards.

18 (5) Notwithstanding the limits of subsection (1) of ORS 468.130 and
19 in addition to any other penalty provided by law, any person who intention-
20 ally or negligently causes or permits open field burning contrary to the
21 provisions of ORS 468.450, 468.455 to 468.485, 476.380 and 478.960 shall be
22 assessed by the department a civil penalty of at least \$20 but not more than
23 \$40 for each acre so burned. Any fines collected by the department pur-
24 suant to this subsection shall be deposited with the State Treasurer to the
25 credit of the General Fund and shall be available for general govern-
26 mental expense.

27 SECTION 15. After alternative methods for field sanitation and straw
28 utilization and disposal are approved by the committee and the department,
29 "pollution control facility," as defined in ORS 468.155, shall include such
30 approved alternative methods and persons purchasing and utilizing such
31 methods shall be eligible for the benefits allowed by ORS 468.155 to 468.190.

32 SECTION 16. This Act being necessary for the immediate preservation
33 of the public peace, health and safety, an emergency is declared to exist,
34 and this Act takes effect on its passage.

June 27, 1975



B. A. McPhillips, Chairman
Morris Crothers
Jacklyn Hallock
Grace Phinney
Ronald Somers
1234 S.W. Morrison St.
Portland, Oregon 97205

Port of Portland

Box 3529 · Portland, Oregon 97208

503/233-8331

TWX: 910-464-6151

PROPOSED ADOPTION OF TEMPORARY RULE - PRIORITY CRITERIA FOR AIR
CONTAMINANT DISCHARGE PERMITS

The Port of Portland has reviewed the proposed rule and supports the idea of a priority criteria for processing air contaminant discharge permits in a limited airshed. However, the Port is concerned with the economic stability of the Portland area believing the proposed rule is deficient.

If the rule is adopted as proposed, the Department of Environmental Quality will be required to act on permit applications in the order that they are completed for processing. The Port has given the Department its written comments on the proposed rule (see attachment D of the Department's staff report). Briefly, the Port requested that the Department expand the priority criteria to include consideration of community benefits and preferential treatment for existing industries. The DEQ staff report indicates that consideration of these factors is beyond the jurisdiction and authority of the Department.

Subsequent to submitting the above recommendations to the DEQ the Port met with representatives from the City of Portland, Multnomah County, LCDC, CRAG, DEQ and others for the purpose of discussing the proposed rule. The representatives agreed that consideration of community benefits should be included in the proposed rule.

The representatives further indicated the need for establishing criteria for the type of industrial development within their jurisdictions. A regional forum could coordinate these criteria and in turn these criteria could be considered by the DEQ in the priority of issuance of air contaminant discharge permits.

The Port currently recognizes the need to integrate region-wide air quality in relationship to land uses, however, no agency has been assigned the responsibility. The vehicle for this integration may be CRAG, since CRAG is currently considering participating in the Air Quality Maintenance planning process. CRAG could be an acceptable forum for all the agencies concerned with air quality and land use planning.

It must be emphasized that development of the criteria to evaluate community benefits is the first priority and agreement on the forum is secondary.

The Port believes that when criteria for industrial development have been developed, integrated and accepted by all the concerned agencies the criteria can be used by the DEQ in the proposed rule.

In summary, the Port of Portland believes that assessment of community benefits must be included in the evaluation of air contaminant permit applications. The DEQ Staff believes these considerations to be beyond their jurisdiction. There are regional agencies that may be able to assess community benefits; however, to date the criteria for the assessment have not been developed. Therefore, the Port requests that the EDC adopt this rule when it contains a mechanism for inclusion of community benefits through the use of industrial development criteria supported by local units of government.



Lloyd Anderson
Executive Director

P33F

ENVIRONMENTAL QUALITY COMMISSION HEARING

June 27, 1975

10:00 A.M.

Public Service Building

Environmental Quality Commission

Commissioners:

I am appearing on behalf of Chairman Clark of the Multnomah County Board to present the following:

It is our concern that the proposed rule amendment does not allow for the assessment of community benefits of regulated uses. Thereby the rule amendment could have a detrimental development affect for the metropolitan area. In areas that have limited airsheds, it is essential that this airshed be managed from the perspective of environmental conservation; but also, it must be managed to be sensitive to regulatory effect on land use, and thereby the future economic vitality of the area.

It is important that land use impact be an element of the proposed rule. However, it is recognized that land use regulation is beyond the scope of the EQC's authority. Therefore, it is recommended that you prescribe, under your rule making power, land use standards upon the recommendation of responsible local governmental or regional agencies as a determinant for insurance of a contaminant discharge permit. The following addition to Subdivision 3, Section 33-030 is suggested only by way of an example:

"(3) Cause land use standards, embodied in a Comprehensive Plan or regulations pursuant thereto, or other regulatory means, that are adopted under Oregon Revised Statutes to be violated. The expected land use impact shall be determined by the affected local jurisdiction(s) and shall be so advised to the EQC."

Because of the complexity of this matter concerning land use, it is suggested that EQC set this hearing over for 45-60 days. In addition it would be appropriate for the EQC to request CRAG to convene the metropolitan jurisdictions concerned with this issue. CRAG could be of assistance in recommending a mechanism to handle the inclusion of land use considerations in the process of issuance of discharge permits.

It is felt both the interests of EQC in air quality and the interest of local agencies in land use could be jointly furthered by this action.

Martin R. Cramton, Jr. A.I.P.
Planning Director
Multnomah County

STATE OF OREGON
ROUTE SLIP

TC. Date 10/25/75
HMP ec ew

FROM: JR

- CHECK
- | | |
|---------------------------------------------|----------------------------------------------------------|
| <input type="checkbox"/> Approval | <input type="checkbox"/> Investigate |
| <input type="checkbox"/> Necessary Action | <input type="checkbox"/> Confer |
| <input type="checkbox"/> Prepare Reply | <input type="checkbox"/> Per Telephone Conversation |
| <input type="checkbox"/> For My Signature | <input checked="" type="checkbox"/> For Your Information |
| <input type="checkbox"/> Your Signature | <input type="checkbox"/> As Requested |
| <input type="checkbox"/> Comment | <input type="checkbox"/> Note and File |
| <input type="checkbox"/> Initial and Return | <input type="checkbox"/> Return With More Details |

COMMENTS:
I favor Alternative 2.
ESW likes #1. He
wants to have both
presented to the FDE.

PROPOSED MODIFICATIONS TO PERMIT PRIORITY CRITERIA WHICH WILL ALLOW INPUT FROM LOCAL GOVERNMENT REGARDING LAND USE.

ALTERNATIVE 1. (Requires Department to "seek and consider" local government position on land use but does not bind Department to local government recommendation.)

Add to 33-020(1) after ... with Section 33-020. In such cases where issuance of permits is being considered in the order that they are considered complete for processing, the Department shall seek, and give consideration to an affirmative statement from the local government officials having jurisdiction that the proposed facility is in conformance with local planning and zoning and State of Oregon planning goals and objectives.

ALTERNATIVE 2. (Allows Department to act on permit application only after an affirmative written statement on land use is submitted by local government.)

Add to 33-010(4) after ...Section 14-020[.], ...and an affirmative written statement has been submitted by the local government officials having jurisdiction that the proposed facility is in conformance with local planning and zoning and State of Oregon planning goals and objectives.



DEPARTMENT OF ENVIRONMENTAL QUALITY

1234 S.W. MORRISON STREET ° PORTLAND, ORE. 97205 ° Telephone (503) 229-5301

ROBERT W. STRAUB
GOVERNOR

KESSLER R. CANNON
Director

INFORMATIONAL MEMORANDUM & NOTICE OF PUBLIC HEARING SEWERAGE WORKS CONSTRUCTION GRANTS PRIORITY LIST FOR FY 1976

June 20, 1975
10:00 A.M.

Public Service Building
920 S. W. Fifth Avenue - 2nd Floor Auditorium
Portland, Oregon

Pursuant to the requirements of Public Law 92-500 CFR 35.915(f) and 35.556, a hearing will be held on June 20, 1975 for the purposes of obtaining testimony relevant to the Sewerage Works Construction Grant Priority List included herein. At its meeting on April 25, 1975, the Environmental Quality Commission advised the staff to utilize the priority criteria presented at that meeting and to develop a list of sewerage works projects which would most efficiently use available federal grant funds.

The criteria, enclosed with explanatory memoranda, most specifically reflects national concerns of "...the severity of pollution problems, the population affected, the need for preservation of high quality waters and national priorities as well as total funds available, project and treatment works sequence and additional factors established by the State..." Due to the necessity for stressing national concern, certain of the previous year's projects have been reduced in relative ranking. These include predominately projects not defined by a specific water pollution problem but facing the need for providing sewers in urban or urbanizing areas where population densities have rendered subsurface sewage disposal unsatisfactory. Such situations are critical to those directly involved but the federal emphasis on documented and existing major polluting discharges affords less than desirable program flexibility.

The hearing is called for permitting public participation in the project ranking procedure. Federal regulations require that the list receive such scrutiny. The Department of Environmental Quality also wishes to obtain relevant comment on the Priority Criteria so as to ensure that the foundation for the procedures is firmly based.

Included in this packet are the following:

1. A list of projects in priority order with costs and tentative funding sequence assigned.
2. A list of projects showing the priority point assignments and totals.
3. A copy of agenda Item No. E, April 25, 1975 EQC Meeting.

The results of the hearing will be presented to the EQC at its regular meeting on June 27, 1975. At that time, the Commission will be asked to approve, reject or modify the list as presented.

Your cooperation is requested to ensure that the Department's programs for expeditious and efficient handling of public funds may be fairly and equitably administered.

KESSLER R. CANNON
Director

DEPARTMENT OF ENVIRONMENTAL QUALITY

PRIORITY LIST

Fiscal Year 1976

The list attached is a ranking of projects in numerical sequence in accordance with the point system developed by the Department and approved by the Environmental Quality Commission.

The funding allocation to Oregon by the Environmental Protection Agency is \$77,582,900. Increasing this figure by the amount of unobligated 75 FY funds and decreasing it by FY 75 project cost overruns and reserve requirements results in a funding availability for obligation under the proposed project listing of approximately \$77,000,000. This permits the inclusion of projects 1 through 129 within the current funding limitations.

Since the Environmental Quality Commission has the authority to modify the list and the criteria and EPA approval and public acceptance are requisites for use, a specific cut-off project has not been determined at this time. This will be done following the acceptance and approval of the list, and the affected municipalities will be notified.

LEGEND

C = Complete
 R = Includes Reimbursement
 of STEP I and/or STEP II
 U = Underway
 A = Awarded

DEPARTMENT OF ENVIRONMENTAL QUALITY - WATER QUALITY CONTROL
 May, 1975

PROJECT LIST - CONSTRUCTION GRANTS

NOTE

All Dollar Amounts
 In Thousands of
 Dollars

Project Number	Priority Number	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
355	1	Corvallis	STP Imp.	12,000			10,320	C		A	07-75	7,740	7,740	7,740				
392	2	Clatskanie	STP Imp.	1,100		108	946	C		06-75	81R	08-75	709	790	8,530			
480	3	Brookings	INT	208	6	23	179	C		C	07-75	156R	156	8,636				
400	4	Umatilla-McNary	INT	198	6	22	170	C		C	01-75	148R	148	8,834				
386	5	Culver	STP, INT	231	7	25	199	C		C	04-75	173R	173	9,007				
323	6	Netarts-Oceanside	STP, INT	1,500	45	165	1,290	C		07-75	157R	03-76	967	1,125	10,132			
333	7	Union	STP, INT	490	15	54	421	C		06-75	51R	09-75	316	367	10,499			
411	8	Redwood S.D.	STP, INT	900	27	99	774	C		U	08-75	675R	675	11,174				
415	9	Fruitdale-Harbeck	INT	88	3	10	75	C		C	04-75	66R	66	11,240				
486	10	Bend	System	28,201	51	1,551	26,599	U		02-76	1,201R		1,201	12,441	11-76	19,949	19,949	
347	11	Redmond	System	14,129	210	820	13,099	U		10-75	772R	09-76	9,824	10,596	23,037			
432	12	Foster-Midway	System	2,800	42	270	2,488	12-75	31	07-76	202		233	23,270	03-77	1,866	21,815	
326	13	Portland (Gertz-Schmder)	System	2,600	39	286	2,275	C		C	09-75	1,950R	1,950	25,220				
464	14	Terrebonne	System	900	27	99	774								12-76+	675	22,490	
382-02	15	USA (Fanno - Phase 5)	INT	186	6	20	160	U		U	07-75	139R	139	25,359				
425	16	USA (Willow Crk - Phse.3)	INT	190	6	21	163	U		U	08-75	142R	142	25,501				
349	17	Riddle	STP	525	16	58	451	C		U	08-75	393R	393	25,394				
487	18	Roseburg Metro. (Reg.)	STP	10,600	318	1,166	9,116	U		01-76	1,113R		1,113	27,007	07-77	6,837	29,327	
410	19	Winston-Green (Reg.)	STP	1,800	36	198	1,566	U		08-75	175R	03-76	1,174	1,349	28,356			
453	20	Canyonville	STP Imp.	840	25	92	723	08-75	19	06-76	69		88	28,444	12-76	542	29,869	
453	21	John Day	STP, INT	1,600	48	176	1,376	10-75	36	06-76	132		168	28,612	07-77	1,032	30,901	
439	22	Mt. Vernon	STP, INT	300	9	33	258	07-75	7	01-76	25	06-76	193	225	28,837			

Project Number	Priority	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
23		Hillsboro-Irrigation	STP #1	100	3	11	86	U		08-75	10R	12-75	65	75			28,912	
24		Long Creek	STP	200	6	22	176	C		U		10-75	150	150			29,062	
25	55-01	USA (Rock Creek)	STP	25,199	378	1,512	23,309	C		06-75	1,890R	06-75	18,899	8,000*	10-76	10,899**	41,830	
26		Portland (Tryon)	STP	5,500	165	605	4,730	C		C		08-75	4,125R	4,125			41,187	
27		Harrisburg	STP	375	11	41	323	07-75	8	01-76		06-76	242	281			41,468	
28	55-02	USA (Rock Creek)	INT	4,500	135	495	3,870	C		U		12-75	3,375R	3,375			44,843	
29		Monmouth-Independence	STP	800	24	88	688	U		10-75	84	08-76	516	600			45,443	
30		Eugene-Springfield	STP	15,000	225	846	13,929	U		01-76	803R			803	10-76	10,446	52,246	
31		Corvallis Airport	STP or INT	500	15	55	430	U		09-75	52R	05-76	323	375			46,621	
32		USA (Lower Tualatin)	INT	600	18	66	516	U		03-76	63	08-76	387	450			47,071	
33		USA (Upper Tualatin)	INT	2,650	45	160	2,445	U		04-76	153	09-76	1,834	1,987			49,058	
34		Tri-City - County	Reg. STP	7,500	112	825	6,563	U		01-76	703R			703	10-76	4,922	57,168	
35	54-495	Newberg-Dundee	Reg. STP	1,200	36	132	1,032	07-75	27	02-76	99			126	10-76	774	57,942	
36		Clackamas Co.S.D. #1	INT	630	18	69	543	U		U	65R	07-75	407	472			50,359	
37		Junction City	STP Imp.	350	10	38	302	07-75	7	12-76	29			36	04-77	226	58,168	
38		Eugene Airport	STP Imp.	200	6	22	172	01-76	4	07-76	17			21	01-77	129	58,297	
39		Maupin	STP Imp.	235	7	25	203	U		10-75	24R	06-76	152	176			50,592	
40		Eugene (Eastside)	INT	4,500	135	495	3,870	U		01-76	472R			472	01-77	2,902	61,199	
41		Corvallis Mobile Park	INT	700	21	77	602								06-77	525	61,724	
42		Glendale	STP Imp.	800	24	88	688	U		09-75	84R	03-76	516	600			51,664	
43		Sutherlin	STP Imp.	2,290	23	252	2,015	U		09-75	206R	03-76	1,511	1,717			53,381	
44		Eagle Point	STP Imp.	175	5	19	151	U		01-76	18R	07-76	113	131			53,512	
45		Gold Hill	STP Imp.	375	11	41	323	09-75	8	03-76	31	09-76	242	281			53,793	

*Phase I

**Phase II

Project Number C-41C---	Priority Number	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
423	46	Cave Junction	STP Imp.	300	9	33	258	09-75	7	03-76	25	09-76	193	225	54,018			
424	47	Boardman	STP Imp.	750	22	82	646	C		U		09-75	562R	562	54,580			
483	48	Jacksonville	INT	300	9	33	258	U		08-75	31R	05-76	194	225	54,805			
499	49	Prairie City	STP, INT	330	10	36	284	C		U		07-75	247R	247	55,052			
342	50	Portland (SE Relieving)	INT	3,500	105	385	3,010	U		U		10-75	2,625R	2,625	57,677			
500	51	Portland (Umatilla)	INT	288	8	31	249	U		U		10-75	216R	216	57,893			
475	52	LaGrande-Island City	STP Imp., INT	900	27	99	774	U		09-75	94R	06-76	581	675	58,568			
472	53	Elgin	STP Imp.	85	3	9	73	09-75	2	04-76	7			9	58,577	10-76	\$4 61,778	
501	54	Corvallis-Crescent Vly.	INT	1,100	33	121	946	U		08-75	115R	03-76	710	825	59,402			
502	55	Hammond	INT	400	12	44	344	10-75	9	04-76	33	09-76	258	300	59,702			
463	56	Port of Tillamook Bay	INT	600	18	66	516	U		10-75	63R	05-76	387	450	60,152			
503	57	Seaside	STP Imp.	2,000	60	220	1,720	09-75	45	05-76	165			210	60,362	10-76	1,290 63,652	
504	58	Wheeler	INT	400	12	44	344	U		C		09-75	300R	300	60,662			
427	59	Aumsville	STP Imp.	25	1	3	21									10-76	19 63,087	
404	60	Yamhill	STP Imp.	100	3	11	86	08-75	2	01-76	8	06-76	65	75	60,737			
505	61	Tillamook City	STP Imp.	600	18	66	516	U		08-75	63R	06-76	387	450	61,187			
430	62	Dayton	STP Imp.	290	8	32	250	07-75	6	12-75	24	06-76	187	217	61,404			
506-507	63	Sheridan-Williamina	STP Imp., INT	300	9	33	258	07-75	7	05-76	25			32	61,436	05-77	193 63,289	
508	64	Amity	STP Imp.	200	6	22	172	09-75	4	07-76	17			21	61,457	06-77	129 63,409	
444	65	Molalla	STP Exp.	300	9	33	258	08-75	7	12-75	25	07-76	193	225	61,682			
509-476	66	Woodburn-Gervais	STP Imp., INT	800	24	88	688	07-75	18	04-76	66			84	61,766	03-77	516 63,925	
445	67	Lebanon	STP Imp.	1,500	45	165	1,290	U		09-75	157R	06-76	968	1,125	62,891			
273	68	Rockaway	STP Imp.	300	9	33	258	U		07-75	31R	04-76	194	225	63,116			

Project Number	Priority	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
69		Jefferson	STP, INT	400	12	44	344	07-75	9	04-76	33		42	63,158	03-77	258	64,183	
70		Cannon Beach	STP Imp.	300	9	33	258	07-75	7	02-76	25		32	63,190	10-76	193	64,376	
71		Lincoln City	Phase I	200	6	22	172	C		09-75	21R	04-76	129	150			63,340	
72		Cottage Grove	STP Imp.	1,000	30	110	860	U		02-76	105R		105	63,445	10-76	645	65,021	
73		Creswell	STP Imp.	400	12	44	344	08-75	9	02-76	33		42	63,487	10-76	258	65,273	
74		Oakridge	STP Imp.	300	9	33	258	09-75	7	04-76	25		32	63,519	10-76	193	65,472	
75		Scio	STP Imp.	150	4	16	130	08-75	3	01-76	12		15	63,534	11-76	97	65,563	
76		Brownsville	STP Imp.	300	9	33	258	U		09-75	31R	03-76	194	225			63,759	
77		Veneta	STP Exp.	400	12	44	344	U		U		10-75	300R	300			64,059	
78		Govt. Camp S.D.	STP Imp.	600	18	66	516	U		U		07-75	450R	450			64,509	
79		K. Falls Reg. (Co.)	STP	2,200	66	242	1,892	07-75	50				50	64,559	06-77	1,600	67,169	
80		Hermiston	STP	300	9	33	258	U		09-75	31R	04-76	194	225			64,734	
81		Chiloquin	STP Imp.	600	18	66	516	C		06-75	63R	06-76	387	450			65,234	
82		Ontario	STP Imp.	300	9	33	258	U		07-75	31R	06-76	194	225			65,459	
83		Hines	Cl ₂	30	1	3	26	U		U		06-75	22R	22			65,481	
84		Huntington	Cl ₂	30	1	3	26	C		U		05-75	22R	22			65,503	
85		Baker	STP Imp.	150	5	16	129	U		11-75	16R	06-76	97	112			65,615	
86		Joseph	STP Imp.	600	18	66	516	08-75	13	04-76	50		63	65,678	12-76	387	67,556	
87		Enterprise	STP Imp.	540	16	59	464	08-75	12				12	65,690	06-77	392	67,946	
88		Dufur	STP Imp.	75	2	8	65	09-75	2	02-76	6		8	65,698	10-76	48	67,994	
89		Lake Oswego-Willamette	INT	870	26	95	749	C		U		06-75	652R	652			66,350	
90		Labish Village	INT	127	4	14	109	C		C		07-75	95R	95			66,445	
91		North Bend	STP Imp.	250	7	27	216	U		07-75	26R	12-75	161	187			66,632	

Project Number	Priority	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
521	92	North Albany S.D.	INT	1,800	30	126	1,644	C		07-75	117R		117	66,749	10-76	1,233	69,229	
522	93	North Plains	INT	300	9	33	258	09-75	7	02-76	24		31	66,780	12-76	193	69,422	
523	94	St. Paul	STP, INT	450	13	49	388	U		08-75	47R	03-76	290	337			67,117	
524	95	L.Oswego (Harvey Way)	INT	200	6	22	172	U		08-75	21R	01-76	129	150			67,267	
525	96	L.Oswego (Terrace)	INT	100	3	11	86	U		08-75	10R	01-76	65	75			67,342	
463	97	L.Oswego (Evergreen)	INT	300	9	33	258	U		08-75	31R	01-76	194	225			67,567	
462	98	L.Oswego (Lakeview)	INT	200	6	22	172	U		08-75	21R	01-76	129	150			67,717	
526	99	Clackamas County Rhododendron-Welsches	STP Imp.	400	12	44	344	U		04-75	42R		42	67,759	10-76	258	69,680	
470	100	Coburg	STP, INT	1,000	30	110	860	08-75	22	02-76	83	08-76	645	750			68,509	
393	101	Charleston-Barview S.D.	INT	1,100	33	121	946	U		U		06-75	825R	825			69,334	
435	102	Glide-Idleyle	STP, INT	1,200	36	132	1,032	U		12-75	126R		126	69,460	12-76	774	70,454	
313	103	West Linn (L.Tualatin)	INT	266	8	29	229	U		08-75	28R	02-76	172	200			69,660	
455	104	Shady Cove	STP, INT	800	24	88	688	U		12-75	84R	05-76	516	600			70,260	
456	105	Merlin-Col. Valley	STP, INT	1,000	30	110	860	08-75	22	01-76	83	06-76	645	750			71,010	
527	106	BCVSA (Westside)	INT	225	6	25	194	09-75	5	01-76	19	06-76	145	169			71,179	
437	107	Wauna-Westport	SPT, INT	1,000	30	110	860	07-75	22	02-76	83	08-76	645	750			71,929	
426	108	Mult.Co. (Inverness #8)	INT	500	15	55	430	U		U		03-76	375R	375			72,304	
435	109	Gresham (Ruby Junction)	INT	1,500	45	165	1,290	09-75	33	02-76	124		157	72,461	10-76	967	71,421	
386	110	Columbia City	INT	200	6	22	172	08-75	4	02-76	16		20	72,481	10-76	129	71,580	
523	111	Cove	STP Imp.	800	24	88	688	08-75	18	02-76	66		84	72,565	01-77	516	72,066	
529	112	Biggs Junction	INT	200	6	22	172	07-76	4				4	72,569	11-76	145	72,211	
530	113	Lakeside	STP, INT	1,000	30	110	860	07-75	22	01-76	83		105	72,674	10-76	645	72,056	

Project Number	Priority Number	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
531	114	Dunes City	STP, INT	600	18	66	516	07-75	13	09-76	50		63	72,737	03-77	387	73,243	
417	115	Pacific City S.D.	STP, INT	500	15	55	430	07-75	11	01-76	41	07-76	323	375			73,112	
442	116	Mapleton	STP, INT	600	18	66	516	U		06-76	63R		63	73,175	12-76	387	73,630	
532	117	Highway 101 S.D.	INT	200	6	22	172	10-75	4	05-76	17		21	73,196	12-76	129	73,752	
533	118	Florence	STP Imp.	70	2	8	60	08-75	1	02-76	6		7	73,203	10-76	45	73,804	
443	119	Turner	STP, INT	800	24	88	688	U		10-75	84R	06-76	516	600			73,803	
448	120	Aurora	STP, INT	800	24	88	688	07-75	18	11-75	66		84	73,887	10-76	516	74,320	
445	121	Donald	STP, INT	400	12	44	344	U		10-75	42R		42	73,929	10-76	258	74,578	
534	122	Newberg (Northwest)	INT	170	5	18	147	U		10-75	17R	03-76	110	127			74,056	
535	123	Canby	INT	200	6	22	172	U		10-75	21R	03-76	129	150			74,206	
460	124	Albany (Northeast)	INT	1,100	33	121	946	U		11-75	115R		115	74,321	10-76	709	75,287	
471	125	Tangent	INT	600	18	66	516	08-75	13	01-76	50		63	74,384	10-76	387	75,674	
536	126	Lapine	STP, INT	300	9	33	258	10-75	6	03-76	25		31	74,415	02-77	193	75,867	
447	127	Mill City	STP, INT	1,000	30	110	860	10-75	22	05-76	83		105	74,520	12-76	645	76,512	
412	128	Butte Falls	STP, INT	500	15	55	430	U		08-75	52R	05-76	323	375			74,895	
451	129	Twin Rocks S.D. (Barview)	INT	200	6	22	172	U		10-75	21R	04-76	129	150			75,045	
537	130	S.W. Lincoln Co. S.D.	STP Imp., INT	2,200	66	242	1,892	U		10-75	231R	09-76	1,419	1,650			76,695	
503	131	Roads End S.D.	INT	300	9	33	258	08-75	7	12-75	25	06-76	193	225			76,920	
539	132	St. Helens	STP Imp., INT	240	7	26	207	08-75	5	02-76	20		25	76,945	10-76	155	76,667	
540	133	Merrill	STP Imp.	100	3	11	86	08-75	2	02-76	8		10	76,955	03-77	64	76,737	
439	134	Modoc Point	STP, INT	280	8	30	242	10-75	6	06-76	23		29	76,984	01-77	181	76,912	
541	135	Sisters	STP, INT	400	12	44	344	09-75	9	02-76	33		42	77,026	02-77	258	77,170	
542	136	Carmel-Foulweather S.D.	STP, INT	1,500	45	165	1,290	07-75	33	02-76	124		157	77,183	10-76	967	78,137	

Project Number	Priority Number	Applicant	Eligible Project Description	Estimated Total Cost Dollars	Estimated Component Cost Dollars			STEP I		STEP II		STEP III		TOTAL Grant Dollars	Cumulative Total Grant Dollars	Target Award Date	Grant Amount Dollars FY77+	Cumulative Grant Dollars TOTAL FY77+
					STEP I	STEP II	STEP III	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars	Target Award Date	Grant Dollars					
543	137	Bay-to-Bay S.D.	STP, INT	1,800	54	198	1,548	U		11-75	189R		189	77,372	10-76	1,161	73,228	
449	138	Falls City	STP, INT	500	15	55	430	09-75	11	03-76	41		52	77,424	10-76	322	73,620	
453	139	Donanza	STP, INT	600	18	66	516	07-75	13	01-76	50		63	77,487	10-76	337	80,007	
544	140	Adrian	STP, INT	180	5	20	155	U		01-76	19R		19	77,506	11-76	116	80,123	
545	141	Prineville (Laughlin-Melrose)	INT	635	19	70	546	U		10-75	66R 05-76	410	476	77,982				
546	142	Crescent	STP, INT	300	9	33	258	08-75	6	04-76	25		31	78,013	03-77	193	80,316	
547	143	Ukiah	STP Imp.	800	24	88	688	U		02-76	84R		84	78,097	01-77	516	80,832	
548	144	Sumpter	STP, INT	200	6	22	172	01-76	4				4	78,101	10-76	143	80,977	
479	145	Juntura	STP, INT	80	2	9	69	01-76	2				2	78,103	03-77	58	81,035	
467	146	Silverton	STP Imp.	300	9	33	258	09-75	7	03-76	24		31	78,134	11-76	193	81,228	
549	147	Hillsboro (Westside)	STP Automation	300	9	33	258	08-75	6	12-75	25 05-76	194	225	78,359				
550	148	Wilsonville (Boeckman)	INT	200	6	22	172	09-75	4	01-76	17 06-76	129	150	78,509				
551	149	Sandy	INT	250	7	27	216	08-75	5	10-75	21 04-76	161	187	78,696				
552	150	Powers	STP Imp.	150	4	16	130	07-75	3	01-76	12 07-76	97	112	78,808				
553	151	Bandon (Johnson)	INT	250	7	27	216	08-75	5	02-76	21		26	78,834	10-76	162	81,390	
453	152	Scotts Mills	STP, INT	700	21	77	602	08-75	16	04-76	58		74	78,908	11-76	451	81,841	
477	153	Detroit	STP, INT	700	21	77	602	08-75	16	02-76	58		74	78,982	02-77	451	82,232	

NEEDS PRIORITY RANKING

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Corvallis	*						1
Clatskanie	*						2
Brookings	*						3
Matilla-McNary	*						4
Mulver	*						5
Netarts-Oceanside	*						6
Union	*						7
Redwood S. D.	*						8
Ruitdale-Harbeck	*						9
Wend	1000					1000	10
Redmond	1000					1000	11
Foster Midway	1000					1000	12
Portland (Gertz-Schmeer)	1000					1000	13
Terrebonne	1000					1000	14
USA (Fanno-Phase 5)	800	90	77	8	3	978	15
USA (Willow Cr. 3rd Phase)	800	90	77	8	3	978	16
Middle	800	90	73	10	3	976	17
Roseburg (Metro-Reg.)	800	90	73	10	3	976	18
Winston-Green (Reg.)	800	90	73	10	2	975	19
Canyonville	800	90	73	10	1	974	20
John Day	800	90	68	10	2	970	21
Mt. Vernon	800	80	68	10	1	959	22
Hillsboro-Irrigation	700	100	77	10	1	888	23
Long Creek	700	100	68	10	3	881	24

* Previously certified

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
ISA (Rock Creek) STP	700	90	77	10	3	880	25
Portland (Tryon)	700	90	76	10	3	879	26
Harrisburg	700	90	76	10	3	879	27
ISA (Rock Creek) Int.	700	90	77	8	3	878	28
Donmouth-Independence	700	90	76	10	2	878	29
Eugene-Springfield	700	90	76	10	2	878	30
Corvallis Airport	700	90	76	10	2	878	31
ISA (Lower Tualatin)	700	90	77	8	3	878	32
ISA (Upper Tualatin)	700	90	77	8	3	878	33
Tri-City - County	700	90	76	10	2	878	34
Newberg-Dundee	700	90	76	10	1	877	35
Clackamas Co. S.D. #1	700	90	76	8	3	877	36
Junction City	700	90	76	10	1	877	37
Eugene Airport	700	90	76	10	1	877	38
Maupin	700	90	74	10	2	876	39
Eugene (Eastside)	700	90	76	8	2	876	40
Corvallis Mobile Part	700	90	76	8	2	876	41
Glendale	700	90	73	10	2	875	42
Sutherlin	700	90	72	10	2	874	43
Eagle Point	700	90	71	10	3	874	44
Gold Hill	700	90	71	10	2	873	45
Cave Junction	700	90	71	10	2	873	46
Boardman	700	90	69	10	3	872	47
Jacksonville	700	90	71	8	3	872	48
Prairie City	700	90	68	10	2	870	49
Portland (SE Relieving)	700	90	69	8	3	870	50

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Portland (Umatilla)	700	90	69	8	3	870	51
LaGrande -Island City	700	90	67	10	2	869	52
Elgin	700	90	67	10	1	868	53
Corvallis-Crescent Vly.	700	80	76	8	2	866	54
Tillamook	700	80	69	8	1	858	55
Port of Tillamook Bay	700	90	57	8	1	856	56
Seaside	700	90	54	10	1	855	57
Wheeler (Addendum to NTCSA Grant)	700	80	62	8	3	853	58
Summerville	700	90	48	10	1	849	59
Yamhill	700	90	46	10	3	849	60
Tillamook City	700	80	57	10	1	848	61
Dayton	700	90	46	10	1	847	62
Sheridan-Willamina	700	90	46	10	1	847	63
Amity	700	90	46	10	1	847	64
Molalla	700	90	44	10	2	846	65
Woodburn-Gervais	700	90	45	10	1	846	66
Lebanon	700	90	42	10	2	844	67
Rockaway	700	90	41	10	2	843	68
Jefferson	700	90	42	10	1	843	69
Cannon Beach	700	90	41	10	1	842	70
Lincoln City	700	90	41	8	3	842	71
Cottage Grove	700	90	40	10	1	841	72
Creswell	700	90	40	10	1	841	73
Dakridge	700	90	39	10	1	840	74
Scio	700	90	35	10	1	836	75

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Brownsville	700	90	33	10	2	835	76
Weneta	700	90	32	10	3	835	77
Government Camp S.D.	700	90	30	10	3	833	78
Klamath Fall Reg.(Co.)	700	90	23	10	2	830	79
Hermiston	700	90	26	10	2	828	80
Chiloquin	700	90	25	10	2	827	81
Ontario	700	90	24	10	2	826	82
Prines	700	90	23	10	2	825	83
Huntington	700	90	7	10	2	809	84
Baker	700	90	7	10	2	809	85
Joseph	700	90	6	10	1	807	86
Enterprise	700	90	6	10	1	807	87
Dufur	700	90	1	10	1	802	88
Lake Oswego-Willamette	600	100	76	8	3	787	89
Labish Village	600	100	76	8	3	787	90
North Bend	600	90	75	10	1	776	91
North Albany S.D.	600	90	76	8	2	776	92
North Plains	600	80	77	10	1	768	93
St. Paul	600	80	76	10	1	767	94
Lake Oswego (Harvey Way)	600	80	76	8	3	767	95
Lake Oswego (Terrace)	600	80	76	8	3	767	96
Lake Oswego (Evergreen)	600	80	76	8	3	767	97
Lake Oswego (Lakeview)	600	80	76	8	3	767	98
Clackamas Co.-(Rhoda-Welsches)	600	90	66	10	1	767	99
Coburg	600	80	76	10	1	767	100

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Charleston-Barview S.D.	600	80	75	8	3	766	101
Glide-Idelyld	600	80	72	10	3	765	102
West Linn (Lower Tualatin)	600	80	76	8	1	765	103
Shady Cove	600	80	71	10	2	763	104
Merlin-Col. Valley	600	80	71	10	2	763	105
BCVSA-(Central Point) (Westside)	600	80	71	8	2	761	106
Wauna-Westport	600	80	69	10	1	760	107
Multnomah County (Inverness #8)	600	80	69	8	3	760	108
Gresham (Ruby Junction)	600	80	69	8	1	758	109
Columbia City	600	80	69	8	1	758	110
Cove	600	80	67	10	1	758	111
Biggs Junction	600	80	69	8	1	758	112
Lakeside	600	80	63	10	1	754	113
Dunes City	600	80	63	10	1	754	114
Pacific City S.D.	600	80	56	10	1	747	115
Mapleton	600	80	54	10	2	746	116
Highway 101 S.D.	600	80	57	8	1	746	117
Florence	600	80	54	10	1	745	118
Turner	600	80	48	10	2	740	119
Aurora	600	80	45	10	2	737	120
Donald	600	50	76	10	1	737	121
Newberg (NW)	600	50	76	8	3	737	122
Canby	600	50	76	8	1	735	123
Albany (NE)	600	50	76	8	1	735	124
Tangent	600	50	76	8	1	735	125
Lapine	600	50	74	10	1	735	126

Applicant	Project Need Points	Emphasis Points	River Segment Points	Project Type Points	Step Status Points	Total Points	Priority Number
Mill City	600	80	42	10	1	733	127
Butte Falls	600	50	71	10	2	733	128
Twin Rocks S.D. (Barview)	600	80	41	8	3	732	129
W Lincoln Co. S.D.	600	80	41	8	2	731	130
Roads End S.D.	600	80	41	8	2	731	131
St. Helens	600	50	69	8	2	729	132
Merrill (E. Merrill)	600	90	26	10	1	727	133
Modoc Point	600	80	28	10	1	719	134
Sisters	600	80	15	10	2	707	135
Carmel-Foulweather S.D.	600	50	41	10	2	703	136
Bay-to-Bay S.D.	600	50	41	8	2	701	137
Falls City	600	50	35	10	1	696	138
Bonanza	600	50	26	10	1	687	139
Adrian	600	50	24	10	1	685	140
Prineville (Laughlin-Melrose)	600	50	15	8	2	675	141
Crescent	600	50	11	10	1	672	142
Okiah	600	50	10	10	2	672	143
Sumpter	600	50	7	10	1	668	144
Duntura	600	50	7	10	1	668	145
Silverton	400	90	45	10	1	546	146
Hillsboro(R&D-Westside)	400	50	77	10	1	538	147
Wilsonville (Boeckman)	400	50	76	8	2	536	148
Sandy	400	50	66	8	3	527	149
Powers	400	50	51	10	1	512	150
Bandon (Johnson)	400	50	52	8	1	511	151
Scotts Mill	400	50	45	10	1	506	152
Detroit	400	50	42	10	1	503	153



ENVIRONMENTAL QUALITY COMMISSION

1234 S.W. MORRISON STREET • PORTLAND, ORE. 97205 • Telephone (503) 229-5696

TOM McCALL
GOVERNOR

To: Environmental Quality Commission

B. A. McPHILLIPS
Chairman, McMinnville

From: Director

GRACE S. PHINNEY
Corvallis

Subject: Agenda Item No. E, April 25, 1975, EQC Meeting

JACKLYN L. HALLOCK
Portland

Proposed Criteria for Prioritizing Sewage Works Construction Needs for Construction Grant Purposes for FY 76

MORRIS K. CROTHERS
Salem

Background

RONALD M. SOMERS
The Dalles

Public Law 92-500 authorizes 75% federal grants for construction of eligible sewerage facilities. This law and the implementing rules adopted by EPA require the state to adopt a criteria for prioritizing needs for grant funding consideration. This state priority criteria must then be approved by EPA. Following adoption and approval of the priority criteria, the state must annually develop a prioritized project list and adopt it following a public hearing.

KESSLER R. CANNON
Director

DEQ has been operating under priority criteria approved by the EQC in 1973. Since that time, Federal rules, requirements and interpretations have been constantly changing. We have now reached a point where the priority criteria must be modified in order to get grant projects moving.

Federal regulations (CFR 40., Section 35.915) establish the areas of national concern which must be addressed in the priority criteria, including "...the severity of pollution problems, the population affected, the need for preservation of high quality waters and national priorities as well as total funds available, project and treatment works sequence and additional factors established by the State...."

Attachment I contains the Department's proposed new priority criteria. Explanation and discussion of the components is as follows:

Discussion of Priority Criteria

1. Project Need

This classification identifies the various water pollution related conditions or situations for which a sewerage construction project is anticipated to be the best economic and environmentally appropriate solution.



Contains Recycled Materials

The categories within this classification are ranked to reflect national and state water pollution and water quality related public health priorities.

- (a) Sewerage facilities required by the Mandatory Annexation legislation (ORS 222.) and the Drill Hole Elimination Regulations (OAR Chapter 340 Section 44-005 et seq.) occupy the highest place in the Needs category and are numerically assigned 1000 points. The need for sewerage facilities in each case is supported by specifically-identified problems for which strong regulatory actions have been taken by DEQ or the State Health Division pursuant to law.

The mandatory annexation law provides for a public health survey of problem areas, a certification of existence of a health hazard emergency, a forced annexation of the problem area to the adjacent city, and an order to the city to construct a sewage collection and interception facility to eliminate the public health hazard.

In 1969, the EQC found the practice of disposal of sewage into rock crevices through "drill holes", which is used in Central Oregon, to be a serious ground water pollution threat and adopted regulations requiring an orderly phase out of all drill holes by 1980. The Federal Water Pollution Control Administration (now EPA) supported the action of the Commission. Total sewerage systems must be constructed in several communities to achieve compliance with the regulations.

The Federal Act (PL 92-500) providing sewerage works grant authority to EPA allows the use of grant funds not only for "treatment works" as usually connoted, but also for sewage collection systems, stormwater collection and treatment systems, and other related collection and treatment facilities. To date, actual use of funds has been limited by DEQ (with EPA concurrence and approval) to sewage treatment plants, major interceptors and pumping stations, and plant outfall sewers. This was intended to make the best direct pollution abatement use of the limited grant funds which were available. This approach is still the best efficient overall use of the funds. However, it is highly desirable to be able to extend eligibility to sewage collection systems where such are required by Mandatory Annexation proceedings and regulations for elimination of drill hole sewage disposal in urban areas. Since such projects are of substantial water quality control and critical public health concern, and usually are hampered in implementation by inordinately high project costs, it is proposed that, in this category only, where it is specifically supported by appropriate

documentation, the sewage collection systems be included in the grant eligible project costs.

b. The next highest category of need involves those rivers and streams whose water quality is protected by Water Quality standards. Facilities necessary to achieve compliance with water quality standards or eliminate a contribution to standards violation would be reason for applying 300 points to the project proposed. For example, water quality standards are presently exceeded in the South Umpqua, the Pudding, the John Day and the Tualatin Rivers during the dry weather, low-flow periods. This is attributable in part to the discharge of domestic waste waters and will be improved by providing a higher quality of effluent.

c. The third "Need" category, worth 700 points, relates to facilities required to comply with an effluent or minimum treatment requirement spelled out by regulation, permit, order or other specific directive. Such minimum standards are usually designed to protect high quality waters or prevent degradation of existing quality.

d. The fourth category of need, worth 600 points, is of considerable significance more because of its widespread occurrence than from its measurable instream pollution impact. This is the "Non-Point Source" discharge affecting ground and surface water. In many Oregon communities, the surface discharge from failing drainfield systems has definite health and water pollution ramifications. The occurrence of enteric organisms in ditches and drainage ways has the effect of threatening the health of entire communities, as well as impacting in stream water quality. High groundwater, constant subsurface disposal system leaching and uncovered drainage ditches in urbanizing areas combine to provide the potential for serious illness in a community if the problems remain ignored. The potential is particularly acute when shallow private water wells are utilized. These are often constructed without proper casing and well seals, and provide a passage for contaminated water to reach the shallow ground water aquifers. Thus, irreparable harm and water pollution can occur from this common problem. It has been difficult in the past to document the health hazard aspect of these problems to the satisfaction of EPA. By redefining the category to include documentable effect on surface or underground waters, it is hoped EPA's concerns can be satisfied.

e. A 400 point category has been designated to deal with those instances where water pollution abatement

is not an immediate concern, but where experience and technical information project an apparent future problem. This would relate to growing, unsewered communities in such areas as lakesides, flood plains, or rocky terrain.

2. Regulatory Emphasis

A second level classification for separating projects within a priority system involves the level of interest of the regulatory agencies involved. This allows a relative ranking of projects within a specific need category, and emphasizes those projects whose rapid progress is most urgently needed. These are shown below along with point designations for the sub-grouping.

- a. Environmental Quality Commission
Order or Regulation: 100 points
- b. DEQ issued Permit: 90 points
- c. Letter directive, preliminary planning approval or project authorization: 80 points
- d. Other positive written response by the Department or Commission related to the desirability of the project: 50 points.

3. Stream Segment Ranking

As a result of the passage of PL 92-500, the federal government through EPA requires the state to submit an Annual Strategy for Water Quality Control activities and emphasis during the following fiscal year. A part of this strategy is a ranking of the stream segments based on:

- a. Severity of pollution
- b. Population affected
- c. Need for preservation of high quality waters
- d. National priorities.

Inasmuch as these are exactly the concerns outlined in the federal regulations for project priority assignments, the Stream Segment Ranking may be directly utilized in these criteria.

In 1973, DEQ identified and ranked 77 "stream segments" with highest point being number 1 and lowest point being number 77. The ranking reflected the best collective judgment of the Department of relative need for regulatory attention. The same ranking was used in 1974 and is proposed for use again this year. The ranking is attached as Attachment II. The point assignments for grant priority purposes will be in inverse order to

their relative standing, assigning projects on the highest stream a score of 77 points and those on the lowest 1 point.

4. Project Type

This general classification is essentially unchanged from previous years. Projects receiving 10 points include sewage treatment plants, plant outfalls, and such public sewer system rehabilitation as can be shown to have an obvious economic benefit by extending the effective life and performance of the sewage treatment plant.

Interceptor sewers, major pumping stations and pressure mains would be assigned 8 points, in keeping with the emphasis on sewage treatment plant construction.

Projects which incorporate both treatment works and interceptors would receive 10 points.

5. Step Status

The federal regulations make definite distinctions among the various phases of a project, delineating between the Facilities Plan (Step I), the preparation of plans and specifications (Step II), and construction (Step III). The funds are most urgently needed at this time for the orderly progression of projects through construction. The construction phase, being the most costly, is the most critical from the standpoint of cash flow, and cannot be deferred once under way. The importance of this step is underscored by assigning 3 points to construction as an intergroup separator. This will ensure that the project nearing construction would be funded before initiating planning of an otherwise equivalent project. Step I and Step II projects would receive 1 and 2 points, respectively.

ADDITIONAL COMMENTS

It is the intent of the grant project prioritization system to provide a method for evaluating projects for federal funding such that all reasonable criteria of need are quantified. When developing a priority list of identified needs, it is impossible to assess the full impact of the alternatives and bring these factors into the evaluation and priority assignment. There could be some projects which will not progress beyond the Facilities Plan stage because the "no-build" option is the best economic and environmentally responsible alternative. Thus, a project could have priority for a Step I plan and cease to be a priority need as a result of the plan. However, once a Step II grant is received, and design of facilities is commenced, the project must maintain priority through the construction phase.

Thus, it is proposed that all projects receiving a Step II grant one year and not reaching the Step III phase the same year be placed at the top of the priority list for the next year in the same relative rank as the previous year.

Collection systems are proposed for funding where Mandatory Annexation Order or Drill Hole Elimination Regulations necessitate a project. It should be emphasized that such funding is anticipated to be applicable in FY 76 only, in view of the fact that sufficient funds will be available to accommodate the construction of necessary projects during that fiscal year. The situation will undoubtedly be different in FY 77, and it is foreseen that the Commission will wish to review this particular concept in detail next year before extending such eligibility.

RECOMMENDATION

It is recommended that the proposed priority ranking system be adopted by the Commission so that a priority list for \$77.5 million of FY 76 construction grant money can be developed and presented at a hearing for adoption as required by federal rules.



KESSLER R. CANNON

HLS:rgn

4-18-75

ATTACHMENT I

Criteria for Priority Ranking of Sewerage Works Construction Needs for FY 76

I Purpose

The criteria and rules for application set forth herein shall be used to govern the priority ranking of identified sewerage works construction needs for construction grant funding pursuant to applicable state and federal law and regulations from July 1, 1975 through June 30, 1976. The criteria and rules for application shall be reevaluated prior to June 30, 1976 to assess the necessity for changes based on availability of funds relative to needs.

II Definition

Applicable definitions from ORS Chapters 468 and 454 shall apply.

III Development and Adoption of Project Priority List

At least annually, and prior to the beginning of the fiscal year related to the available grant funds, the Department shall prepare a proposed project priority list pursuant to the criteria and rules for application set forth herein. As required by federal rules and after appropriate notice, a hearing shall be held on the proposed list. Following evaluation of testimony received and modification as necessary, the Commission shall adopt a project priority list which shall be the official Sewerage Works-Construction Grant Priority list of the State of Oregon. The adopted list may be revised at any time following appropriate notice and hearing.

IV Priority Criteria

Identified needs shall be ranked using a numerical point system.

Table A contains the schedule for points assignment within each of the five categories of:

- a) Project Need
- b) Regulatory Emphasis
- c) Stream segment ranking
- d) Project Type
- e) Step Status

Except for projects receiving 1000 total points under the Project Need category, each need or project will be assigned appropriate points in each of five categories. The points for each project will then be added and sum therefrom will be the point total used for developing the project priority list. The project with the highest point total will be the highest priority project.

V Rules for Application of Criteria

A Assignment of Points

Points shall be assigned for each project based on best available data at the time of ranking for adoption of a list. In the event additional information justifies a change in point assignment, change in ranking shall be accomplished in accordance with B or C below.

B Additions or Elevation in Ranking

Projects may be added to the list or elevated in ranking at the discretion of the Director subject to the following procedure:

1. Points shall be assigned in accordance with Table A and the point total will determine the ranking of the project with respect to projects already on the list.
2. Sponsors of those projects which have fewer total points than the new or re-ranked project shall be notified of the proposed list modifications and a public hearing shall be scheduled with appropriate notice given for the purpose of receiving testimony on the list modifications.
3. Following the evaluation of testimony received, the Commission may adopt the modified list as under Section III.

C Deletion or Reduction in Ranking

Projects may be deleted from the list or reduced in ranking by the Director without public hearing either in the event of a project's receiving full funding, or by reassessment of point totals or basic project desirability. Sponsors of projects thus deleted or reduced in ranking shall be notified of the revised status of the project and may request a hearing before the Commission regarding the revised status. Such a hearing request must be made to the Director within 20 days following receipt of the notification of revised status and the Director shall schedule a hearing before the Commission within 60 days.

D Carryover of Projects to Subsequent Year Lists

1. All projects which have received a Step II or Step III grant in a given fiscal year and are not completed will automatically be placed at the top of the priority list for the next fiscal year in the same relative ranking as they appeared in the prior year in order to assure continuity and funding.
2. All projects which have not yet received any grant or have received only a Step I grant will be subject to reprioritization along with all new projects for the next year's list.

E Project Scheduling

Funds shall be reserved for each project for those phases that are scheduled for initiating within three months of the end of the fiscal year. Phases which will not be initiated within that time frame will be scheduled for funding from subsequent year funds. In the event of schedule slippage, the Department

may either reserve the funds for an additional three months or may allocate same to the next project on the list awaiting funds. The Department shall notify the applicant of its intent to take such action.

F Contingency Reserve

A minimum of 15% of each fiscal year's allocation of grant funds shall be set aside as a contingency reserve for grant increases and cost adjustments. A portion of the contingency reserve may be allocated to initiate new projects three months prior to the end of the fiscal year if it appears that the total reserve will not need to be maintained.

VI Eligibility for Funding

A Except as noted in B below, facilities eligible for grant assistance shall be limited to sewage treatment works, interceptor sewers, major pumping stations and pressure mains, and such public sewer system rehabilitation as can be shown to have an obvious cost effective benefit related directly to size, effective life or performance of the sewage treatment plant.

B For FY 76, collection systems shall be eligible for grant assistance where such systems are required to comply with a mandatory annexation order issued pursuant to ORS 222 or DEQ regulations requiring elimination of Waste Disposal Wells (OAR Chapter 340 Section 44-005 et seq). This eligibility of collection systems will not be extended beyond June 30, 1976 unless the Environmental Quality Commission finds that sufficient federal funds are available to permit extension without jeopardizing the construction program for essential treatment works and interceptor sewers.

HLS:ak

April 18, 1975

Table A

Project Priority Ranking Criteria for FY 76

<u>Point Assignment</u>	<u>Point Categories</u>
	<u>Project Need</u>
1000 Total*	Project necessary to comply with mandatory annexation order under ORS 222 or Waste Disposal Well Schedule under OAR Chapter 340, Section 44-005 et seq. (Includes sewage collection system, where appropriate). (*Points for regulatory emphasis, stream segment ranking, project type, and step status included in total.)
800	Project necessary to achieve compliance with in-stream Water Quality Standards contained in OAR Chapter 340 Division 4 Subdivision 1 or eliminate a contribution to standards violation.
700	Project necessary to comply with minimum waste treatment standards or effluent standards established by the Department of Environmental Quality or the Environmental Protection Agency.
600	Project needed to minimize or eliminate documented "non point source" contamination of groundwater or surface waters relating to subsurface sewage disposal system malfunction in known urban or urbanizing areas.
400	Project desirable for prevention of potential water pollution problems.
	<u>Regulatory Emphasis</u>
100	Environmental Quality Commission Order or Regulation.
90	NPDES or State Waste Discharge Permit.
80	Letter directive, preliminary planning approval or project authorization from the Department of Environmental Quality.
50	Other written statement of project desirability by DEQ or the Commission.
	<u>Stream Segment Ranking</u>
77 maximum	Streams ranked in inverse order to that shown in "Annual State Water Strategy - FY 75".
	<u>Project Type</u>
10	Sewage treatment plant projects including cost-effective sewer rehabilitation.
8	Interceptor sewers, major pumping stations and pressure mains.

Table A
Page 2

Point
Assignment

Point
Categories

Step Status

- | | |
|---|----------------------------------------------------|
| 1 | Step I - Facilities plan preparation. |
| 2 | Step II - Preparation of plans and specifications. |
| 3 | Step III - Project construction. |

STREAM SEGMENT RANKING
from "Annual State Water Strategy -- FY 75"

<u>Number</u>	<u>Name of Segment (*)</u>
1	Tualatin River
2	Willamette River
3	Coos Bay
4	Deschutes River
5	South Umpqua River
6	Umpqua and North Umpqua River
7	Rogue River
8	Bear Creek
9	Columbia River
10	John Day River
11	Grande Ronde River
12	Sandy River
13	Skipanon River
14	Necanicum River
15	Neacoxie Creek
16	Nehalem River
17	Nehalem Bay
18	Wilson River
19	Trask River
20	Tillamook River
21	Tillamook Bay
22	Nestucca River

(*) Named segment includes tributaries thereto unless such tributaries are otherwise listed.

NumberName of Segment

23	Netarts Bay
24	Siuslaw River
25	Chetco River and Chetco Cove
26	Coquille River
27	South Coquille River
28	Yaquina River
29	South Yamhill River
30	Mill Creek
31	North Yamhill River
32	Yamhill River
33	Pudding River
34	Molalla River
35	South Santiam River
36	Santiam and North Santiam River
37	Pacific Ocean
38	Coast Fork Willamette River
39	Middle Fork Willamette River
40	Clackamas River
41	McKenzie River
42	Rickreall Creek
43	Luckiamute River
44	Marys River
45	Calapooia River
46	Long Tom River
47	Columbia Slough

NumberName of Segment

48	Hood River
49	Umatilla River
50	Klamath River
51	Sprague River
52	Lost River
53	Williamson River
54	Snake River
55	Silvies River
56	Salmon River
57	Alsea River
58	Lower Umpqua River
59	Lewis and Clark River
60	Klaskanine River
61	White River
62	Warm Springs River
63	Crooked River
64	Metolius River
65	Spring River
66	Fall River
67	Little Deschutes River
68	North Fork John Day River
69	South Fork John Day River
70	Walla Walla River
71	Powder River
72	Wallowa River

Number

Name of Segment

73

Owyhee River

74

Silver River

75

Donner and Blitzen River

76

Chewaucan River

77

Thomas Creek

REMARKS BY FRED DELANEY TO ENVIRONMENTAL QUALITY COMMISSION
JUNE 27, 1975-9:00 AM

Honeywood Park is a mini subdivision lying west to east beginning at 185th about 4 or 5 blocks south of Baseline Road. The subdivision is bordered on the south side and the east end by Beaverton Creek. The Aloha sewage treatment plant is just across Beaverton Creek at the east end of Honeywood Park.

The homes in Honeywood Park are all new - the earliest built in late 1973 or early 1974 - and are in the low to high \$40,000 range. The subdivision is about one half to three quarters completed. There are 4½ acres of common ground along Beaverton Creek which acts as a flood plain during times of high water. The high water will cover the back of many of the home owners' properties. The common ground has two 10' easements to allow all the families of the home owners access to it.

Our problem is two-fold - (1) Beaverton Creek is polluted. It is gray-blue to bluish black depending on the amount of water flow due to weather and gives off an offensive odor. Residents have reported solid forms of pollution floating in the creek also.

On the south side of the creek there are residents that have lived there for many years that have stated the stream used to have fish and that they and their children caught fish from it but now there are no fish at all.

Members of the Homeowners Association have reported the strong stink from the stream when one of the children or dog either fell in or had been swimming in the stream came home.

There is no question - the stream is polluted and does not meet the requirements set by the Federal Water Pollution Act. (2) The stink that is given off by the Aloha sewage treatment plant. There isn't a day goes by that the stink can be ignored, particularly if you are outside working in the yard or sitting on your deck. For those property owners across Beaverton Creek from the treatment plant, the smell is almost constant. The frequency and degree seem to vary according to the flow of the stream but even now the plant emits an obnoxious smell and frequently enough to say that the condition is the rule not the exception. During the last spell of warm weather, the stink was almost constant and strong.

The members of Honeywood Park Homeowners Association have moved into the subdivision at varying dates. As far back as one year, inquiries were made as to these conditions to the various agencies - U.S.A. - DEQ Staff, etc. Reasons and assurances were given that plans were made, some of which were in progress, that would alleviate and solve these problems. While the plans were completed, the problem exists to the same degree if not worse.

From the layman's point of view, it appears to us that the sewage treatment plants - both Beaverton and Aloha - are not sufficient to carry the load

treatment
required. Therefore, the pollution of the stream and the stink of the treatment plant continue. As the west area of Portland grows, it is imperative that each unit built and occupied have ready the necessary sewage, water and electric facilities to properly support its addition to the community without spoiling its neighbors environment.

If solving the problem of pollution in Beaverton Creek and the air pollution from sewage treatment plants means a moratorium on building in Washington County - so be it!

Preventing pollution before it starts - not cleaning it up after it happens - is the order of the day.



KESS CANNON
Director

Pete: For your records -

Kathy - can you
find file on Priority
list for sewer grants
& include this?

9350 SW 4th
Portland, 97219
June 25, 1975

Environmental Quality Commission
Dept. of Environmental Quality
1234 SW Morrison
Portland, 97205

Dear Commission Members,

I am writing to you concerning the priority list drawn up by the DEQ for granting federal funds to municipal sewage works. I received a copy of the list on Monday, June 16 along with the State water strategy; since that time I have discussed the matter with many people and have looked at a few of the proposed projects. During this time I have become increasingly disturbed that many projects will be funded which will have far ranging consequences that have not been adequately assessed. This is due to the time pressure of trying to compile a list so as to be able to spend the federal funds as soon as they become available (next week). Indicative of this hurried approach is that the public hearing to present the priority list (required by federal law) was held just last Friday with all the testimony given to be considered and priorities re-evaluated this week prior to presentation for adoption this Friday. Considering that 77.5 million dollars are involved it seems to be a rather hasty decision to say the least. I have been told that somewhere over 130 projects will receive funding; Mr. Hal Sawyer stated last Friday at the hearing that once the cut-off point has been decided upon it will be "like a horserace" for the chosen municipalities to obtain their monies, in other words, the priority list loses any meaning and those with plans will be able to receive funding faster than those without. While this may appear reasonable, it does not strike me as being conducive to drawing up careful, well thought out and considered alternative plans and consequences; I doubt that DEQ has the inclination or time/manpower to be able to review all these plans thoroughly. Indeed, questions asked by other people to the DEQ personnel concerning specific projects have been unanswered, DEQ does not always know just what they encompass. Sally Rose of OSPiRG testified that DEQ is not sufficiently considering the land use implications of the sewage works as required by law; I support her findings.

To point out some of the questions, potential problems and impacts I will share some of my findings of the past week and a half. A question I have is the necessity of the Lake Oswego Evergreen interceptor (#97) and why it has as high a ranking as it has. This project involves putting an interceptor line through the Tryon Creek State Park which would replace two pumping stations (it would then run on gravity flow). The cost-benefit analysis finds that it would only cost 1,000 dollars more to upgrade the pumping stations than build the interceptor; to me this cost seems worth paying to avoid disturbing the park which is characterized as being undeveloped. A recently built line through the park caused all sorts of problems, such as bad erosion; in the past I have heard complaints of the smell of the sewer lines, hardly a desirable condition for a state park.

My next area of concern came about indirectly. I have been told that Beaverton Creek is badly polluted around Aloha due to overloading of the treatment plants in the vicinity. I was curious

to find out what future plans existed and if any of the treatment facilities in question were on the priority list. At present, there are two regional facilities in the makings for the Tualatin basin: Durham and Rock Creek. Both are designed for high treatment and will phase out many of the existing plants by use of interceptor lines. These have been the plans for many years now, and I'm sure comply with Washington County's land use plan but a potential problem has surfaced. In talking with Tom Lucas of CRAG this past week, I learned that in their initial 208 area wide studies they are beginning to question the wisdom of the regional plants. I was rather startled to hear this so on further inquiry Lucas explained that he was thinking that the non-point runoff perhaps deserves more attention as the problem and that although the treatment from the plants will be so high, it is a lot of sewage to discharge from one point. Discussing the matter with other people later more ideas came up, such as that small treatment plants might be more desirable due to the feasibility of land application (irrigation) which is not possible with the volume going through a regional plant; another consideration might be to spread out the load (and impact) on the river more. There are five projects on the priority list from the Tualatin basin, perhaps it would be best to wait until CRAG has made some decisions before proceeding too much further and making the area wide planning a farce. At this point I would like to refer to the fifth annual report of the Council on Environmental Quality (1974). The report states "another phenomenon related to the construction of large interceptors (such as are planned for the Tualatin basin) is the tendency for developers to move immediately to the end of the new line in order to take advantage of both the available sewer service and the low land costs on the urban fringe. The result is a costly leap-frog and fill-in development pattern, which increases the difficulty of properly planning the timing and size of other public facilities and spreads the urban area out in a pattern that is wasteful of land and energy resources."

My prime concern has been with the projects designed to sewer the coast, especially those planned in Lincoln County. Specifically, I am referring to the Southwest Lincoln County Sanitary District which plans to have an interceptor running from just south of Waldport to Yachats along hwy. 101 and the Bay to Bay project which involves an interceptor line from Newport to Waldport for a total of 22 miles. Before I discuss this further I would again like to quote the fifth annual report. "Cost factors favor the choice of large regional treatment plants with associated sewers. But, as with sewers, the over-design of capacity in the regional plant becomes a self-fulfilling prophecy. Coastal and other areas of seasonal home construction may be particularly affected because only a limited amount of land may be available for high density development... While a series of smaller but individually expandable plants might be more costly in such circumstances, the community could retain more control over development. It is important to assure that such options are considered and the potential land use impacts are recognized prior to Federal funding." The report also discusses the problems associated with large interceptors running through undeveloped land, such as between towns.

At present, the population of Yachats is aprx. 450, Waldport is 729, Newport 5,200, and the SW Lincoln County S.D. 2024 permanent, 660 tourist. For the S. D., this means 1140 units (using

their information) along 8 miles or an average density of about 1 unit/5 acres. The area is zoned to have a saturation density of 19,000 people, projected by year 2025 to be 5250 permanent 1450, tourist. On the coast side of hwy. 101 much of the land is zoned to 6-10 units per acre, quite a sizeable increase over present conditions. Both Waldport and Yachats have new sewage treatment plants designed beyond present needs (Waldport has over twice the capacity). The sanitary district is the area between the two towns, at present it has primarily sub-surface treatment. The assessment states that the area is not suited for sub-surface, and concludes that a sewer system is the only acceptable answer. At this point, I would like to suggest an alternative. In Europe, there has been much work done on self-contained units. These units are designed to hold the wastes until in 2-3 years time they have decomposed sufficiently to be used as mulch or whatever. I propose that Oregon take a lead and explore the possibilities and feasibility of these units (or something related) as an alternative. To be eligible for federal funding, they could be rented from towns and publically maintained; by being self-contained they would eliminate the worries of sub-surface failures but not be cause for the rapid development that follows an interceptor.

In the meantime, the people of Lincoln County have not yet voted on a comprehensive sewer plan, it seems to me that it should come prior to any projects being undertaken. I do not know how well this plan fits into the LCDC goals and guidelines, I do know they state "particular attention should be given to the conflict between rural, i.e. the agricultural, forest and open land on the one hand, and urban and urbanizing land on the other." This seems applicable in this case, to me.

Briefly, I would like to mention other projects which have been brought to my attention as potential problems. They are: #4, Umatilla-McNary (see Sally Rose's testimony); #6, Netarts-Oceanside where an EIS was deemed necessary; #8 Redwood SD, also has had an EIS written; #10, Bend, treatment facilities to cover areas not already developed; #71, Lincoln City where a pumping station is by a beach access; #78, Government Camp SD. which will be an expansion while upgrading allowing for some new subdivisions; #99, Clackamas Co.-Rhododendron-Welches which is also on the mountain (no plans have been drawn up yet); #106, Bear Creek Valley SA, Central Point and Westside; Highway 101 SD (#117), north of Tillamook with a question of developing farm land; #124, Albany NE where an interceptor would pass through vacant land. I don't know how many other questions would crop up upon a closer look at any of these projects, I suppose no one will know until after they have been constructed (hindsight is always more revealing than foresight it seems). Due to the large number of questionable projects on the priority list, I would like to ask that a decision to accept the list be postponed for a month or two until further information is available, both from LC DC and from further consideration of the validity of the projects as they are currently. The federal funds will still be available, maybe they would not all be spent by the end of the year but I think some more costly, non-correctable errors can be avoided. In any event, I think it should be stressed that additional information received be considered and the projects flexible enough that in the event one is deemed unworthy of pursuit, it be dropped. Thank-you for your consideration,

Sincerely yours,

Carolyn Wright
OREGON CLEAN WATER PROJECT

Sewage Problems May Close Beachside Park

By Dave Rorden

Local objections have apparently caused the state Parks Department and the Department of Environmental Quality to reconsider plans to install a \$26,000 portable sewage treatment plant at Beachside State Park, south of Waldport.

DATE
Parks engineering supervisor John Hollingsworth and Fred Bolton, assistant director of the D.E.Q., indicated at a meeting of the Southwest Lincoln County Sanitary District board of directors Feb. 19 that plans for the 'package' treatment plant will be reviewed in light of local opposition before any final decision to go ahead with the project is made.

But Hollingsworth said the only alternative may be to close the park—at least until the sanitary district's proposed \$4,290,000 sewer system is installed.

"We estimate it would cost \$31,000 per camping season if we have to continue to pump each septic tank daily and have the sewage trucked to Waldport for treatment," he said. He indicated the cost involved might force the closure of the park if the portable facility is not approved.

Approval to pump each septic tank in the park was granted by the D.E.Q. last summer after it had originally ordered the park closed because of a failing sub-

surface drainfield.

"We met with D.E.Q. officials after the closure order to try to work out some plan to keep the park open," he said. "What we came up with was a plan for a portable biological treatment plant in which the outfall would be chlorinated."

He said the plans called for an effluent line placed along the Spruce Production Railroad right-of-way to a fenced-off, 3-acre area on National Forest land where six sprinklers will discharge the outfall. Forest Service officials have given approval for the project.

"We estimate the cost of putting in such a system would be \$37,000," he said, "but about \$11,000 worth of equipment such as pumps and the treatment plant can be moved when it is no longer needed and placed in other parks." Thus, the 'non-recoverable' cost of the plant would be \$26,000.

Fred Bolton said the waste material after treatment would be similar to the outflow of the Waldport and Yachats sewer systems.

"But since there is no suitable receiving stream in the area," he said, "we had to go to a land receiving area."

"This is a flat, logged-off area," added Hollingsworth. "Any drainage, we feel, would be into the highway ditch. We don't think the drainage will affect any persons' property."

Bolton emphasized if the D.E.Q. grants a permit to the parks department, it would be only for an interim basis.

"A condition of the permit, if it is granted, would be that as soon as a sewer is available, the park must hook up and phase out the treatment plant," he said.

But those assurances did little to mollify members of the board and local residents, who ex-

pressed opposition to the expenditure of tax dollars to keep the park open.

"It's going to cost \$26,000 to keep the park open for the two years before the sewer is in," said Jean Duckett, board secretary. "Why not spend this money to support the district's efforts to put the sewer system in?" Her sentiments were echoed by other board members as well as those in the audience.

One resident said if the state spends \$26,000 to install the interim system, "that means we're subsidizing with our tax dollars the people in the valley who are rich enough to bring their trailers over here. The state would be spending \$26,000 to encourage people to use gas and waste energy."

In answer to a question about possible adverse environmental effects of the sprinkling, Hollingsworth said there should be no ill effects on the newly replanted trees in the area.

"If anything, it should give them a boost," he said.

But he admitted there has been little experience with the system so far, and said the department was prepared to replant the area if the seedlings are damaged.

Bolton also said the Southwest Lincoln District may be moved up on the D.E.Q.'s priority list for funding. It presently ranks 49th on a list of 51.

"The department has to lay out some priorities for funding," he said, "based on a district's progress and ability to move ahead with its plans. But the priorities are reviewed every year. We did not realize you would be moving as swiftly as you are toward a decision on your sewer system. So it's quite probable you would be moved ahead of areas that haven't acted so quickly in the past year and have fallen behind your timetable, especially if you pass your bond issue in March and retain an engineer to go ahead with the project. That would be something the department would have to respond to."

Details of the \$700,000 bond issue election, scheduled for March 18, were outlined by project engineer Lew Powell of Robert Meyer Engineers Inc. of Beaverton.

If the bond issue is approved, ~~the sewer system will be installed~~

Bond issue passed March '75

2-27-75

ROBERT MACY, engineer in charge of
Beaverton.

If the bond issue is approved, Powell estimated that the initial yearly property tax for the owner of a home on a 70 by 100-foot lot assessed at \$21,000 would be \$40, or a rate of about \$1.91 for each \$1,000 of assessed value.

By 1980, district revenue from increased connection fees for new users will probably decrease the tax burden to about \$1.35 per year per \$1,000 of assessed value—or an annual tax of \$27.35 for the \$21,000 home, Powell said.

The general obligation bonds would be assessed throughout the district, he said, and will be based on property value.

Other initial costs of the \$4,290,000 system, such as Local Improvement District (L.I.D.) assessments, will be based on square footage and proximity to a collection line.

"All property within 300 feet of a collection line will be placed in an L. I. D. and assessed at a rate of 5.5 cents per square foot," Powell said. For the \$21,000 home on a 70 by 100-foot lot this would mean an L.I.D. assessment of \$385.

Powell said L.I.D. boundary lines have not been formed, and will require formation hearings, pre-assessment hearings and adjustment hearings. All registered property owners in the district will be notified by mail when hearings will be held.

Powell said L.I.D. assessments may be financed through the Bancroft Bond program for 10 or 20 year periods at an interest rates of seven percent.

He also said low interest loans for low-income persons may be available through the Farmer's Home Administration.

Other initial costs for users of the system will include a \$100 connection fee (to be raised to \$500 90 days after the system goes into operation) and a \$15 inspection fee.

Users will also pay a \$5 monthly service charge.

The district has applied to the federal Environmental Protection Agency for a \$1.8 million grant to finance 75 percent of the costs of constructing the interceptor system, pump stations and enlargement and expansion of the Yachats sewer treatment plant.

OREGON STUDENT PUBLIC INTEREST RESEARCH GROUP

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TESTIMONY OF BILL VAN DYKE

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION

ON THE SUBJECT OF SEWERAGE WORKS CONSTRUCTION GRANTS FOR FY 1976

JUNE 27, 1975

My name is Bill Van Dyke. I am a staff member of the Oregon Student Public Interest Research Group. This testimony is based on continuing research by OSPIRG summer intern Sally Rose on the land use impacts of sewerage facilities construction. Preliminary results of that research indicate serious problems with the Department of Environmental Quality's procedures for dealing with the land use impacts of federal sewerage construction grants. First I will briefly summarize Ms. Rose's testimony before the Department of Environmental Quality hearing last Friday. I will then proceed to the Environmental Quality Commission's legal authority to change procedures on this issue.

Sewerage facilities have become recognized as important determinants of land use. In the next year the Department of Environmental Quality will administer \$77.5 million in federal grants for sewerage treatment works construction in Oregon. This is more than double the amounts earmarked for this purpose in prior years. These grants have the potential for an enormous impact on land use patterns in this state.

The Department of Environmental Quality's current procedures for assuring compliance with state-wide land use goals grew out of problems with the controversial South Medford trunk project earlier this year.

*Bill 2000 + DEQ meeting OSP
on the 100th Street trunk project
evaluation of land use impacts on projects*

Oregon Student Public Interest Research Group: Clatsop Community College / Eastern Oregon College / Lane Community College / Oregon College of Education / Oregon State University / Oregon Technical Institute / Portland Community College / Portland State University / Southern Oregon College / Southwestern Oregon Community College / University of Oregon / University of Portland / Willamette University.



In that situation, the City of Medford petitioned the Land Conservation and Development Commission for review of the land use implications of the project after EPA had awarded a construction grant to the sanitary authority. LCDC dismissed the petition only after the city, Jackson County, and the sanitary authority made arrangements for meetings to work out their problems.

As a result of these events, the Environmental Protection Agency stated its intention to stop further grant awards until a procedure was worked out to insure that projects comply with state laws.

A procedure has been developed by the State Executive Department and the Environmental Protection Agency. As now followed by the Department of Environmental Quality, that procedure requires county commissioners to submit a general statement that their sewerage project meets provisions of the county comprehensive plan and state-wide land use goals and guidelines. The procedure does not require specific findings on individual goals and guidelines or on the comprehensive plan showing that the project does in fact comply with these requirements.

Specific findings are important for two reasons. On one hand, Oregon law requires the Department of Environmental Quality to carry out its programs which affect land use in accordance with Oregon's land use laws, goals and guidelines.¹ On the other hand, counties will be reviewing their comprehensive plans to bring them into compliance with state-wide goals and guidelines over the next year and probably longer. Until the end of this review period, there is no assurance that counties have taken state-wide land use goals into account in their

1. ORS 197.180 states: "State agencies shall carry out their planning duties, powers and responsibilities and take actions that are authorized by law with respect to programs affecting land use in accordance with state-wide planning goals and guidelines approved pursuant to ORS 197.005 to 197.430, 215.055, 215.510, 215.515, 215.535 and 453.345."

comprehensive plans. The blanket statement of compliance now required does not assure that the county commissioners have taken a new and detailed look at their comprehensive plan and statewide goals and guidelines in evaluating their sewerage projects. Thus, the Department of Environmental Quality does not receive enough information to say with assurance that a given project complies with state laws, goals and guidelines -- a responsibility it clearly has under ORS 197.180.

In testimony last Friday, OSPIRG noted an example of apparent conflict with state-wide goals and guidelines and the county comprehensive plan in the Umatilla-McNary project. The County Commissioners have submitted a statement that the project meets provisions of its comprehensive plan and state-wide goals and guidelines.¹ In reviewing the project, OSPIRG found that the interceptor would serve several clusters of population in addition to McNary Townsite. These clusters are surrounded by class III farmland. The Environmental Assessment for the project admits that growth will occur in these areas. To the extent that growth does occur on land used for farming as a result of this interceptor, the project would violate county comprehensive plan provisions and statewide interim and adopted goals for agricultural lands.

Before anyone can determine whether this project would in fact violate these planning provisions, more information is needed on the amount of population growth anticipated and current use of land surrounding the small population clusters. Neither the Department of Environmental Quality nor the City of Umatilla could provide OSPIRG with this information. The fact that the department does not have this information is significant. Without it, the department cannot possibly have any assurance that the project complies with state-wide goals and guidelines.

The Environmental Quality Commission clearly has the authority to require counties to submit specific findings showing that a project complies with individual

1. "The Board of Commissioners of Umatilla County has reviewed C-410400-City of Umatilla and finds it does not violate applicable land use plans of this county, and it meets applicable state-wide planning goals and guidelines and laws."

provisions of its comprehensive plan and individual state-wide goals and guidelines. Under ORS 197.180, the commission is obligated to carry out its programs which affect land use in accordance with state land use goals, guidelines and laws. ORS 468.020 (1) authorizes the commission to adopt rules and standards it considers necessary to perform functions vested in the commission by law.

OSPIRG urges the commission to adopt a rule requiring counties to submit such specific findings. Several members of the Department of Environmental Quality staff have indicated that they believe metropolitan area counties in the state are reviewing their projects in this way already. Requiring specific findings would assure that all counties follow this procedure. The requirement could provide added protection against problems later in the project process similar to those in the South Medford project. Finally it would provide the Department of Environmental Quality with some information to use in evaluating its sewerage program for compliance with statewide goals and guidelines as the law requires.

C-ENGROSSED

Senate Bill 311

Ordered by the Senate June 14
(Including Amendments by Senate March 31 and by House June 5
and by Second Conference Committee June 14)

Sponsored by Senators GROENER, THORNE, POWELL, Representatives
BYERS, BUNN, GROENER, JONES, LINDQUIST, WALDEN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires field burning permits to be issued in certain counties by Department of Environmental Quality. Permits Environmental Quality Commission to delegate duty to deliver permits to county governing body or fire chief of rural fire protection district.

Requires field burning, instead of being banned after January 1, 1975, to be phased down to not more than [50,000 acres after 1977] 95,000 acres in 1977. Thereafter, permits for the burning of not more than 50,000 acres may be issued after taking into consideration certain factors. Requires commission and legislative committee to report to Fifty-ninth Legislative Assembly recommendations for possible modifications. Permits Governor to allow exceptions in case of extreme hardship or other specified conditions. States legislative policy that permits are to be issued for burning maximum acreages specified only upon certain conditions.

Requires Environmental Quality Commission, in making rules governing field burning, to consult with certain other agencies and permits it to consult with certain other agencies.

Requires person seeking permit for field burning to submit statement that acreage to be burned will be planted to seed crops other than cereal grains which require burning. Permits contrary planting in case of crop failure.

Continued on page 2

NOTE: Matter in bold face in an amended section is new; matter [italic and bracketed] is existing law to be omitted; complete new sections begin with SECTION.

Continued from page 1

Creates Oregon Field Sanitation Committee to replace present field burning committee. Prescribes membership and duties of committee. Makes committee special advisory committee to commission in adopting rules related to field burning. Requires committee to report quarterly to Legislative Committee on Trade and Economic Development. Authorizes committee to assist persons wishing to use alternative methods of field sanitation and straw utilization by assisting in purchase and lease.

Requires annual registration with county governing body or fire chief of rural fire protection district of acreage to be burned. Requires fee for permit by department of \$3 per acre in 1975, \$4 per acre in 1976, \$5.50 per acre in 1977 and \$8 per acre thereafter. Requires refunding of fee where burning is accomplished by mobile sanitizer. [*Requires refunding of one-half of fee where straw was removed prior to burning.*] Requires payment of 20 cents per acre of fee to county governing body or rural fire protection district for administration of registration. Requires 50 cents of acreage fees to be deposited in smoke management fund. Includes approved alternative field sanitation and straw utilization and disposal methods within definition of "pollution control facility" for purposes of tax credits.

Provides civil penalties.

Makes related changes.

Declares emergency.

1

A BILL FOR AN ACT

2 Relating to field burning; creating new provisions; amending ORS 468.140,
3 468.290, 468.455, 468.460, 468.465, 468.470, 468.475, 468.480 and 468.485;
4 appropriating money; and declaring an emergency.

5 Be It Enacted by the People of the State of Oregon:

6 SECTION 1. Section 2 of this Act is added to and made a part of ORS
7 468.455 to 468.485.

8 SECTION 2. (1) On and after January 1, 1975, permits for open burn-
9 ing of perennial grass seed crops, annual grass seed crops and cereal grain
10 crops are required in the counties listed in subsection (2) of ORS 468.460
11 and shall be issued by the Department of Environmental Quality in accord-
12 ance with air pollution control practices and subject to the fee prescribed
13 in ORS 468.480. The permit described in this section shall be issued in con-
14 junction with permits required under ORS 476.380 or 478.960.

15 (2) The Environmental Quality Commission may by rule delegate to
16 any county court or board of county commissioners or fire chief of a rural
17 fire protection district the duty to deliver permits to burn acreage provided
18 such acreage has been registered pursuant to paragraph (a) of subsection
19 (1) of ORS 468.480 and fees have been paid pursuant to paragraph (b) of
20 subsection (1) of ORS 468.480.

21 Section 3. ORS 468.290 is amended to read:

22 468.290. Except as provided in this section and in ORS 468.450, 476.380
23 and 478.960, the air pollution laws contained in [ORS 448.305, 454.010 to
24 454.040, 454.205 to 454.255, 454.315 to 454.355, 454.405 to 454.425, 454.505 to
25 454.535, 454.605 to 454.745 and] this chapter do not apply to:

26 (1) Agricultural operations and the growing or harvesting of crops
27 and the raising of fowls or animals, except field burning which shall be
28 subject to regulation [*under this section, ORS 468.455 to 468.485, 476.380,*
29 *476.990, 478.960 and 478.990*] pursuant to this 1975 Act ;

30 (2) Use of equipment in agricultural operations in the growth of crops
31 or the raising of fowls or animals, except field burning which shall be sub-
32 ject to regulation [*under this section, ORS 468.455 to 468.485, 476.380, 476.990,*
33 *478.960 and 478.990*] pursuant to this 1975 Act ;

- 1 (3) Barbecue equipment used in connection with any residence;
2 (4) Agricultural land clearing operations or land grading;
3 (5) Heating equipment in or used in connection with residences used
4 exclusively as dwellings for not more than four families;
5 (6) Fires set or permitted by any public agency when such fire is
6 set or permitted in the performance of its official duty for the purpose
7 of weed abatement, prevention or elimination of a fire hazard, or instruc-
8 tion of employes in the methods of fire fighting, which in the opinion of
9 the agency is necessary; or
10 (7) Fires set pursuant to permit for the purpose of instruction of em-
11 ployes of private industrial concerns in methods of fire fighting, or for
12 civil defense instruction.

13 Section 4. ORS 468.455 is amended to read:

14 468.455. In a concerted effort by agricultural interests and the public
15 to overcome problems of air pollution, it is the purpose of [ORS 468.455 to
16 468.485, 476.380 and 478.960 to phase out open field burning in the counties
17 listed in subsection (2) of ORS 468.460 when a feasible alternative method
18 of field sanitation becomes available, to fix a specified date for termination
19 of open field burning and, further, to encourage stabilized acreage until
20 feasible alternative methods of field sanitation become available] this 1975
21 Act to provide incentives for development of alternatives to open field
22 burning, to phase out open field burning and to develop feasible alternative
23 methods of field sanitation and straw utilization and disposal.

24 Section 5. ORS 468.460 is amended to read:

25 468.460. [After an alternative method of field sanitation is certified
26 under ORS 468.470, and becomes available as provided in subsection (2)
27 of ORS 468.470;] in order to regulate open field burning pursuant to ORS
28 468.475:

- 29 (1) In such areas of the state and for such periods of time as it considers
30 necessary to carry out the policy of ORS 468.280, the commission by rule
31 may prohibit, restrict or limit classes, types and extent and amount of
32 burning for perennial grass seed crops, annual grass seed crops [,] and
33 grain crops [and other burning].

1 (2) In addition to but not in lieu of the provisions of ORS 468.475 and of
2 any other rule adopted under subsection (1) of this section, the commission
3 shall adopt rules for Multnomah, Washington, Clackamas, Marion, Polk,
4 Yamhill, Linn, Benton and Lane Counties, which provide for a more rapid
5 phased reduction by certain permit areas, depending on particular local air
6 quality conditions and soil characteristics, [of] the extent, type or amount
7 of open field burning of perennial grass seed crops, annual grass seed crops
8 and grain crops [after an] and the availability of alternative [method is]
9 methods of field sanitation and straw utilization and disposal. [certified
10 under ORS 468.470.]

11 (3) Before promulgating rules pursuant to subsections (1) and (2) of
12 this section, the commission shall consult with Oregon State University
13 and the Oregon Field Sanitation Committee and may consult with the Soil
14 Conservation Service, the Agricultural Stabilization Commission, the State
15 Soil and Water Conservation Commission and other interested agencies.
16 The Oregon Field Sanitation Committee shall act as a special advisory
17 committee to the commission in the promulgation of such rules. The com-
18 mission must review and show on the record the recommendations of the
19 Oregon Field Sanitation Committee in promulgating such rules.

20 [(3)] (4) No regional air quality control authority shall have author-
21 ity to regulate burning of perennial grass seed crops, annual grass seed
22 crops and grain crops.

23 Section 6. ORS 468.465 is amended to read:

24 468.465. (1) Permits under [ORS 476.380 and 478.960] section 2 of this
25 1975 Act for open field burning of cereal grain crops shall be issued in the
26 counties listed in subsection (2) of ORS 468.460 only if the person seeking
27 the permit submits to the issuing authority a signed statement under oath
28 or affirmation that the acreage to be burned will be planted to seed crops
29 other than cereal grains which require flame sanitation for proper culti-
30 vation. [fall legumes or perennial grasses. However, no open field burning
31 of cereal crops shall be permitted in the counties listed in subsection (2)
32 of ORS 468.460 after January 1, 1975.]

1 (2) The department shall inspect cereal grain crop acreage burned pur-
2 suant to subsection (1) of this section after planting in the following spring
3 to determine compliance with subsection (1) of this section.

4 (3) Any person planting contrary to the restrictions of subsection (1)
5 of this section shall be assessed by the department a civil penalty of \$25
6 for each acre planted contrary to the restrictions. Any fines collected by
7 the department pursuant to this subsection shall be used by the department
8 for a smoke management program in cooperation with the Oregon Seed
9 Council and for administration of this section.

10 (4) Any person planting seed crops after burning cereal grain crops
11 pursuant to subsection (1) of this section may apply to the department for
12 permission to plant contrary to the restrictions of subsection (1) of this
13 section if the seed crop fails to grow. The department may allow planting
14 contrary to the restrictions of subsection (1) of this section if the crop
15 failure occurred by reasons other than the negligence or intentional act of
16 the person planting the crop or one under his control.

17 Section 7. ORS 468.470 is amended to read:

18 468.470. *[(1) Except as provided in ORS 468.475, open field burning of*
19 *perennial grass seed crops and annual grass seed crops shall be subject to*
20 *regulation under ORS 468.450, 476.380 and 478.960 only until a committee*
21 *described in subsection (3) of this section certifies the availability of a*
22 *successful, feasible alternative to open field burning in sufficient quantity*
23 *to sanitize grass fields. For the purposes of ORS 468.450, 476.380 and 478.960,*
24 *annual grass seed crops, perennial grass seed crops and grain or grass stub-*
25 *ble shall be considered to be combustible material.]*

26 *[(2) As such alternative methods become available in quantity suffi-*
27 *cient to allow phased reduction in burning, the commission may begin to*
28 *phase out in proportion to such availability the burning described in ORS*
29 *468.460.]*

30 *[(3) The committee shall consist of two members representing agri-*
31 *culture appointed by the Director of Agriculture from a list of five nom-*
32 *inees submitted by the Oregon Seed Council, two members representing the*
33 *public appointed by the director of the department and a fifth member*

1 appointed by the Governor. Members shall be persons knowledgeable con-
2 cerning agricultural practices and air quality control practices which are
3 the subject of ORS 468.455 to 468.485.]

4 [(4) In addition to its other duties under this section, the committee
5 shall monitor the programs for development of feasible alternative methods
6 of field sanitation, shall make recommendations for the research and de-
7 velopment of such methods to the Joint Committee on Ways and Means
8 during the legislative session or to the Emergency Board during interim
9 periods and, after consultation with the department, shall establish stand-
10 ards under which certified alternatives are to operate as long as the com-
11 mittee is in existence.]

12 [(5) In exercising its duties under subsections (1) and (4) of this sec-
13 tion, the committee shall certify alternatives and establish standards only
14 after public hearing at which interested persons are afforded an oppor-
15 tunity to be heard and for which notice is given in a manner reasonably
16 calculated to notify interested persons of the time, place and subject of the
17 hearing.]

18 (1) The Oregon Field Sanitation Committee is established and for the
19 purposes of this 1975 Act shall be referred to as the "committee." The
20 committee shall consist of two members representing agriculture appointed
21 by the Director of Agriculture from a list of five nominees submitted by
22 the Oregon Seed Council, two members representing the public appointed
23 by the director of the department and a fifth member appointed by the
24 Governor. Members shall be persons knowledgeable concerning agricul-
25 tural practices and air quality control practices which are the subject of
26 ORS 468.455 to 468.485.

27 (2) The committee shall assume the duties and responsibilities formerly
28 held by the field burning committee established pursuant to section 4,
29 chapter 563, Oregon Laws 1971 (regular session), which committee is abol-
30 ished. However, members of the field burning committee shall be the mem-
31 bers of the field sanitation committee until their terms expire pursuant to
32 subsection (3) of this section.

33 (3) The term of office of each member of the committee is four years,

1 but a member may be removed for cause. By lot, the committee shall select
2 two of its members whose terms expire on December 31, 1976 and one of its
3 members whose term expires December 31, 1977. The remaining members'
4 terms shall expire on December 31, 1978.

5 (4) The committee shall:

6 (a) Monitor and conduct programs for development of feasible alterna-
7 tive methods of field sanitation and straw utilization and disposal;

8 (b) Make recommendations for research and development of alterna-
9 tive methods;

10 (c) Provide assistance to persons wishing to obtain the use of feasible
11 methods of field sanitation and straw utilization and disposal and, in so
12 doing, assist in purchasing, purchase and lease to users, and promote ex-
13 tensive use of such methods;

14 (d) Receive and disburse funds, including but not limited to voluntary
15 contributions from within and outside this state, grants and gifts; and

16 (e) Report quarterly to the Legislative Committee on Trade and Eco-
17 nomic Development on the progress being made in discovering and utiliz-
18 ing alternatives to open field burning.

19 (5) Subject to the approval of the Executive Department, the commit-
20 tee may:

21 (a) Enter into contracts with public and private agencies to carry
22 out the purposes of demonstration of alternatives to agricultural open field
23 burning;

24 (b) Apply for and obtain patents in the name of the State of Oregon
25 and assign such rights therein as the committee considers appropriate;

26 (c) Employ such personnel as is required to carry out the duties
27 assigned to it; and

28 (d) Sell and dispose of all surplus property of the committee, includ-
29 ing but not limited to straw-based products produced or manufactured by
30 the committee.

31 SECTION 8. Sections 9 and 10 of this Act are added to and made a
32 part of ORS 468.455 to 468.485.

33 SECTION 9. The commission shall establish emission standards for
34 certified alternative methods to open field burning.

1 SECTION 10. The department, in coordinating efforts under this 1975
2 Act, shall:

3 (1) Enforce all field burning rules adopted by the commission and all
4 related statutes;

5 (2) Monitor and prevent unlawful field burning; and

6 (3) Aid fire districts in carrying out their responsibilities for admin-
7 istering field sanitation programs.

8 Section 11. ORS 468.475 is amended to read:

9 468.475. [After January 1, 1975,] (1) No person shall open burn or
10 cause to be open burned in the counties specified in subsection (2) of ORS
11 468.460, perennial [*grass seed crops used for grass seed production*] or an-
12 nual grass seed crops used for grass seed production [.] or cereal grain
13 crops, unless the acreage has been registered pursuant to ORS 468.480 and
14 the permits required by ORS 468.450, 476.380, 478.960 and section 2 of this
15 1975 Act have been obtained.

16 (2) Except as may be provided by rule under ORS 468.460, the maxi-
17 mum total registered acreage allowed to be open burned pursuant to sub-
18 section (1) of this section shall be as follows:

19 (a) During 1975, not more than 235,000 acres may be burned.

20 (b) During 1976, not more than 195,000 acres may be burned.

21 (c) During 1977, not more than 95,000 acres may be burned.

22 (d) In 1978 and each year thereafter, the commission, after taking into
23 consideration the factors listed in subsection (2) of ORS 468.460, may by
24 order issue permits for the burning of not more than 50,000 acres.

25 (e) The acreage amounts provided in paragraphs (c) and (d) of this
26 subsection are declared to be the goals of the Fifty-eighth Legislative As-
27 sembly. The commission and the Legislative Committee on Trade and Eco-
28 nomic Development shall report to the Fifty-ninth Legislative Assembly
29 with their recommendations for possible modifications.

30 (3) In the event of the registration of more than the maximum allow-
31 able acres for open burning in the counties specified in subsection (2) of
32 ORS 468.460, the commission, after consultation with the committee, by
33 rule or order may allocate permits for acreage based on particular local air

1 quality condition, soil characteristics, the type or amount of field burning
2 or crops, the availability of alternative methods of field sanitation, the
3 date of registration, proportional share, or any reasonable classification.
4 Priority shall be given to use of available alternatives to open field burning
5 in Lane County and priority areas in other counties listed in subsection (2)
6 of ORS 468.460.

7 (4) It is the intention of the Legislative Assembly that permits shall
8 be issued for the maximum acreage specified in subsection (2) of this
9 section for each year recited therein only if the commission finds after
10 hearing that:

11 (a) There are insufficient numbers of workable machines that can rea-
12 sonably be made available to sanitize the acreage if an acreage reduction
13 is ordered;

14 (b) There are insufficient methods available for straw utilization and
15 disposal; and

16 (c) Reasonable efforts have been made to develop alternative methods
17 of field sanitation and straw utilization and disposal, and such methods have
18 been utilized to the maximum reasonable extent.

19 (5) The Governor, upon finding of extreme hardship, disease out-
20 break, insect infestation or irreparable damage to the land, may by order
21 permit emergency open burning of more acreage than allowed by subsection
22 (2) of this section. Upon a finding of extreme danger to public health or
23 safety, the Governor may order temporary emergency cessation of all open
24 field burning in any area of the counties listed in subsection (2) of ORS
25 468.460.

26 (6) The commission shall act on any application for a permit under sec-
27 tion 2 of this 1975 Act within 60 days of registration and receipt of the fee
28 provided in ORS 468.480. Such other decisions as may be required under
29 this section must be made by the commission on or before July 10, 1975,
30 and on or before June 1 of each subsequent year.

31 Section 12. ORS 468.480 is amended to read:

32 468.480. (1) (a) On or before July 1, 1975, and on or before April 1
33 of each subsequent year, the grower of a grass seed crop shall register with
34 the county court or board of county commissioners or the fire chief of a

1 rural fire protection district, or his designated representative, the num-
2 ber of acres to be burned in the remainder of the year. Any person register-
3 ing after the dates specified in this subsection shall pay an additional fee
4 of \$1 per acre registered if the late registration is due to the fault of the
5 late registrant or one under his control. Late registrations must be ap-
6 proved by the department. Copies of the registration form shall be for-
7 warded to the department. The required registration must be made and
8 the fee paid before a permit shall be issued under section 2 of this 1975 Act.

9 (b) Except as provided in paragraph (c) of this subsection, after the
10 effective date of this 1975 Act, the Executive Department shall collect a fee
11 prior to the issuance of any permit by the Department of Environmental
12 Quality for open burning of perennial or annual grass seed crops or cereal
13 grain crops under this 1975 Act. The Executive Department may contract
14 with counties and rural fire protection districts for the collection of the
15 fees which shall be forwarded to the Executive Department. The amount
16 of the fee shall be \$3 in 1975, \$4 in 1976, \$5.50 in 1977, and \$8 in any year
17 thereafter, per acre of crop burned.

18 (c) The fee required by paragraph (b) of this subsection shall be re-
19 funded for any acreage where efficient burning of stubble is accomplished
20 with equipment using an auxiliary fuel or mobile field sanitizer which has
21 been approved by the committee and the department for field sanitizing
22 purposes or for any acreage not burned.

23 (2) The Executive Department shall pay to the county or board of
24 county commissioners or the fire chief of the rural fire protection district,
25 not to exceed 20 cents per acre registered, to cover the cost of and to be
26 used solely for the purpose of administering the program of registration of
27 acreage to be burned, issuance of permits, keeping of records and other
28 matters directly related to agricultural field burning. Fifty cents of the
29 acreage fees shall be deposited in a separate fund to be used for the smoke
30 management program which shall be conducted by the Department of
31 Environmental Quality in cooperation with the Oregon Seed Council and
32 other affected agencies. The Department of Environmental Quality shall
33 contract with the Oregon Seed Council to organize rural fire protection

1 districts and growers, coordinate and provide communications, hire ground
2 support personnel, provide aircraft surveillance, provide such added other
3 support services as are mutually agreed upon and advise the department
4 when crops in each area are ready for burning. However, if a reasonable
5 contract cannot be agreed upon, the department shall provide such serv-
6 ices directly or by contracting with such other entity as it reasonably
7 shall determine.

8 (3) The Executive Department shall cause the balance of acreage fees
9 received pursuant to subsection (1) of this section to be deposited in the
10 State Treasury to be credited to the account of the committee established
11 under ORS 468.470 for use as provided in ORS 468.485. [*Until and alter-*
12 *native method is certified under ORS 468.470, or until January 1, 1975,*
13 *whichever occurs first, the county court, board of county commissioners*
14 *or the fire chief or his designated representative shall collect a fee, except*
15 *as provided in paragraph (b) of this subsection, prior to issuing any per-*
16 *mit for the open burning of perennial or annual grass seed crops, or*
17 *grain crops under ORS 476.380 or 478.960. The amount of the fee shall be*
18 *determined by the committee established pursuant to ORS 468.470 and*
19 *shall not exceed \$1 per acre of crop burned.*]

20 [(b) The fee required by paragraph (a) of this subsection shall not
21 be collected where efficient burning of stubble is accomplished with equip-
22 ment using auxiliary fuel or a mobile field sanitizer which equipment
23 or sanitizer has been approved by the committee and the department for
24 field sanitizing purposes.]

25 [(2) The collecting officer shall retain such portion of the acreage fees
26 received pursuant to subsection (1) of this section as is sufficient, in the
27 judgment of the committee, in consultation with the collecting officers,
28 to cover the cost of and to be used solely for the purpose of administering
29 a program of registration of fields to be burned, collection of fees, issuance
30 of permits, keeping of records and other matters directly related to agri-
31 cultural open field burning. Ten cents of the acreage fee shall be deposited
32 in a separate fund to be used for a smoke management program which
33 shall be conducted by the Oregon Seed Council in cooperation with the
34 department.]

1 [(3) *The collecting officer shall cause the balance of acreage fees re-*
2 *ceived pursuant to subsection (1) of this section to be credited to the ac-*
3 *count of the committee established under ORS 468.470 for use as provided*
4 *in ORS 468.485.]*

5 [(4) *Nothing in this section relieves any person from the requirements*
6 *of obtaining a burning permit in accordance with ORS 476.380 and 478.960.]*

7 Section 13. ORS 468.485 is amended to read:

8 468.485. All moneys [*from acreage fees*] collected under paragraph
9 (b) of subsection (1) of ORS 468.480 [*and under section 2, chapter 578,*
10 *Oregon Laws 1973, received by the committee established pursuant to ORS*
11 *468.470*] or received pursuant to this 1975 Act, except fines, shall be segre-
12 gated from other funds and used solely for [*smoke management and*] ad-
13 ministrative expenses of the committee and for development and demon-
14 stration of alternatives to agricultural open field burning and methods of
15 straw utilization and disposal. [*The committee may enter into contracts*
16 *with public and private agencies to carry out the purposes of this section.*
17 *The committee shall give first priority to the development of and demon-*
18 *stration of the feasibility of a mobile field incinerator.]*

19 Section 14. ORS 468.140 is amended to read:

20 468.140. (1) In addition to any other penalty provided by law, any
21 person who violates any of the following shall incur a civil penalty for each
22 day of violation in the amount prescribed by the schedule adopted under
23 ORS 468.130:

24 (a) The terms or conditions of any permit required or authorized
25 by law and issued by the department or a regional air quality control
26 authority.

27 (b) Any provision of ORS 448.305, 454.010 to 454.040, 454.205 to 454.255,
28 454.315 to 454.355, 454.405 to 454.425, 454.505 to 454.535, 454.605 to 454.745
29 and this chapter.

30 (c) Any rule or standard or order of the commission adopted or issued
31 pursuant to ORS 448.305, 454.010 to 454.040, 454.205 to 454.255, 454.315 to
32 454.355, 454.405 to 454.425, 454.505 to 454.535, 454.605 to 454.745 and this
33 chapter.

1 (d) Any rule or standard or order of a regional authority adopted or
2 issued under authority of subsection (1) of ORS 468.535.

3 (2) Each day of violation under subsection (1) of this section constitutes
4 a separate offense.

5 (3) (a) In addition to any other penalty provided by law, any person
6 who intentionally or negligently causes or permits the discharge of oil
7 into the waters of the state shall incur a civil penalty not to exceed
8 the amount of \$20,000 for each violation.

9 (b) In addition to any other penalty provided by law, any person
10 who violates the terms or conditions of a permit authorizing waste dis-
11 charge into the waters of the state or violates any law, rule, order or
12 standard in ORS 448.305, 454.010 to 454.040, 454.205 to 454.255, 454.315 to
13 454.355, 454.405 to 454.425, 454.505 to 454.535, 454.605 to 454.745 and this
14 chapter relating to water pollution shall incur a civil penalty not to exceed
15 the amount of \$10,000 for each day of violation.

16 (4) Paragraphs (c) and (d) of subsection (1) of this section do not
17 apply to violations of motor vehicle emission standards.

18 (5) Notwithstanding the limits of subsection (1) of ORS 468.130 and
19 in addition to any other penalty provided by law, any person who intention-
20 ally or negligently causes or permits open field burning contrary to the
21 provisions of ORS 468.450, 468.455 to 468.485, 476.380 and 478.960 shall be
22 assessed by the department a civil penalty of at least \$20 but not more than
23 \$40 for each acre so burned. Any fines collected by the department pur-
24 suant to this subsection shall be deposited with the State Treasurer to the
25 credit of the General Fund and shall be available for general govern-
26 mental expense.

27 SECTION 15. After alternative methods for field sanitation and straw
28 utilization and disposal are approved by the committee and the department,
29 "pollution control facility," as defined in ORS 468.155, shall include such
30 approved alternative methods and persons purchasing and utilizing such
31 methods shall be eligible for the benefits allowed by ORS 468.155 to 468.190.

32 SECTION 16. This Act being necessary for the immediate preservation
33 of the public peace, health and safety, an emergency is declared to exist,
34 and this Act takes effect on its passage.

June 30, 1975

Mrs. Ione Hanson
Office of the Secretary of State
Elections and Public Records
121 State Capitol
Salem, Oregon 97310

Dear Mrs. Hanson:

Enclosed for filing as a temporary rule are amendments to OAR Chapter 340, Section 72-010 and 72-020. You will find also a copy of the Commission's findings and reasons pursuant to ORS 183.335.

Please provide us with a date stamped copy of the same.

Thank you for your kind attention in this matter.

Sincerely,

KESSLER R. CANNON
Director

Peter W. McSwain
Hearing Officer

PWK:rkok

Enclosure

Proposed
Temporary Rules
Oregon Administrative Rules Chapter 340
Division 7

Item A

72-010(1) Delete the fee table and substitute the following:

"Subsurface or Alternative Sewage Disposal System		Fee
Construction Installation Permit	[\$50]	\$100
Alteration Permit	[\$15]	\$ 25
Repair Permit	[\$15]	\$ 25
Extension Permit	[\$15]	\$ 25
Sewage Disposal Service Business License	\$100"	

72-010(2) Delete the entire subsection.

Substitute a new subsection 72-010(2) to read as follows:

"A twenty-five dollar (\$25) fee shall be charged for renewal of an expired permit issued under ORS 454.655.

72-010(4) Add a new subsection (4) to OAR 72-010 to read as follows:

"(4) Pursuant to ORS 454.745(4) as contained in Section 10 of Chapter 167, Oregon Laws 1975, and to requests of the respective governing bodies of the following counties all of which have agreements with the Department under ORS 454.725, and notwithstanding the fees listed in subsection (1) of this section and subsection (1) of section 72-020, the fees to be charged by the counties of Clatsop, Crook, Curry, Deschutes, Douglas, Hood River, Jackson, Jefferson, Josephine, Lincoln, Linn, Malheur, Marion, Sherman, Tillamook and Wasco shall be as follows:

New Construction Installation Permit	\$50
Alteration, Repair or Extension Permit	\$15
Evaluation Reports	\$25

except that in Douglas County the fee for alteration, repair or extension permit shall be \$5."

72-020(1) Evaluation Fees - Delete "\$25" and substitute "\$75".

72-020(2) Delete the entire subsection. Renumber 72-020(3) as 72-020(2)